

Rep07

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**From:** Heartland Institute: The Government Relations Team <nmakla@heartland.org>  
**Sent:** Friday, January 20, 2017 4:57 PM  
**To:** Rep07  
**Subject:** The Leaflet - Missed Heartland's Emerging Issues Forum in Orlando? Watch It Online!



### **Missed Heartland's Emerging Issues Forum in Orlando? Watch It Online!**

On December 15, The Heartland Institute hosted its 2016 Winter Emerging Issues Forum (EIF). More than 120 state elected officials and policy experts from 23 states attended this magical EIF in Orlando, Florida.

Tennessee state Rep. Mike Sparks (R-Rutherford) praised Heartland's winter EIF event, stating, "As a state legislator, you may often feel alone on a few issues, but having The Heartland Institute as a resource is invaluable."

If you missed Heartland's Winter EIF event, you can watch each of the four panels held during the event online on Heartland's [YouTube channel](#).

The education panel featured Tennessee state Rep. John J. DeBerry Jr. (R-Shelby County), Jamie Gass, the Pioneer Institute's director of the Center for School Reform, and Lisa Snell, the Reason Foundation's director of education and child welfare. The panelists discussed how education outcomes in America continue to lag globally, the debate over Common Core State Standards, and educational choice options such as education savings accounts and charter schools. The panel also analyzed the roadblocks currently facing lawmakers who are working to transform education. [Watch a video of the education panel here.](#)

The health care panel featured Beacon Center of Tennessee Director of Policy Lindsay Boyd, clinical endocrinologist Dr. Richard O. Dolinar, and Sal Nuzzo, the James Madison Institute's policy director. The panelists discussed how states could expand competition and reduce the cost of health care (even with the Affordable Care Act in place). Solutions discussed included using telemedicine, rolling back certificate of need laws, and embracing direct primary care. [Watch a video of the health care panel here.](#)

The energy and environment panel featured Maine state Rep. Beth A. O'Connor (R-Berwick), Amy Oliver Cooke, the Independence Institute's vice president and the director of the energy policy center, and Spark of Freedom Foundation President James Taylor. The panelists discussed how America has become a leader in energy production despite President Barack Obama's efforts to discourage the use of traditional energy sources, such as coal, natural gas, and oil. This panel also discussed the rise of hydraulic fracturing, the demise of renewable power mandates, and pro-environment, pro-energy, and pro-jobs solutions to America's energy and environment problems. [Watch a video of the energy and environment panel here.](#)

The budget and tax panel featured West Virginia state Del. John Overington (R-Berkeley), Beacon Center of Tennessee Director of Policy Lindsay Boyd, and State Budget Solutions President Bob Williams. The panelists discussed ways states are seeking to create a better business climate to attract jobs and businesses to their states. The panelists also discussed

right-to-work laws, tax reform, and reforming public pension systems. [Watch a video of the budget and tax panel here.](#)

Stay tuned as Heartland prepares to host its 2017 Emerging Issues Forum!

## WHAT WE'RE WORKING ON

### Budget & Tax

Research & Commentary: Dramatic Gas Tax Hike Won't Help Alaska Maintain Its Roads

Alaska Gov. Bill Walker (I) recently introduced a proposal that would hike the state's gas tax rate as part of his 2018 budget plan. The tax would quadruple from 8 cents per gallon to 24 cents per gallon on July 1, 2018. In this *Research & Commentary*, Matthew Glans argues Alaska legislators should explore more modern and efficient ways to fund road construction and traffic infrastructure, such as privatizing roads and establishing toll systems. [Read more](#)

### Education

Roadmap for the 21st Century: Education Choice

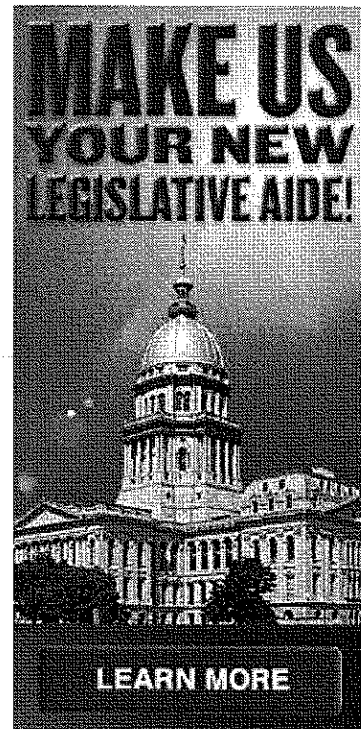
This paper, authored by the Roadmap for the 21st Century Working Group on Education, describes how education choice and competition improve educational outcomes for both those students who take advantage of choice opportunities as well as those who remain in traditional public schools. The authors also outline how education choice would improve economic prosperity at the national and state levels. According to the authors, "If all American students and their parents were free to choose the school they believed would work best for them, [educational achievement gaps] could be closed. Nationwide, that would mean an increase in U.S. GDP of up to 17% to 30%, or \$3.1 trillion to \$5.2 trillion over 25 years, given the current level of U.S. GDP." [Read more](#)

### Energy & Environment

Utah Counties Sue Federal Government Over Coal Lease Moratorium

In this article for *Environment & Climate News*, reporter Kenneth Artz writes about a lawsuit filed against the U.S. Department of the Interior (DOI) and the Bureau of Land Management by Utah's Kane and Garfield Counties, which argues they and other rural communities around Utah will be economically devastated by the loss of hundreds of jobs and the closing of crucial mining sites if the Obama administration's moratorium on new coal leases on federal lands continues. The Obama administration, Artz notes, issued the moratorium in January 2015 as part of its review and overhaul of the coal-leasing program managed by DOI. The Obama administration says the moratorium was necessary due to concerns related to the theory man is causing climate change and because the administration wanted to examine whether taxpayers are receiving a fair return on the leases. However, now that Donald Trump is entering the White House, the dispute could be short-lived. [Read more](#)

### Health Care



POLICY NEWSPAPER



The January 2017 issue of *Budget & Tax News* reports on the election of Donald Trump, Republicans' continued control of both houses of Congress ... and what it all might mean for

### The Case for Licensing Dental Therapists in North Dakota

A joint publication of The Heartland Institute and Texas Public Policy Foundation, this *Policy Brief* makes a case for the licensing of dental therapists in North Dakota to improve access to basic and preventative oral care. The *Policy Brief* was authored by Michael Hamilton and Bette Grande, both research fellows at The Heartland Institute, and John Davidson, a senior fellow at the Texas Public Policy Foundation. Grande served as a North Dakota state representative from 1996 to 2014, representing the 41st district. The authors urge North Dakota to follow the example set in Maine, Minnesota, and Vermont, which have proven licensing dental therapists is a win-win for residents and dentistry professionals. The report includes 64 footnotes citing research concerning the benefits of dental therapy. [Read more](#)

### From Our Free-Market Friends

#### The Thomas Jefferson Institute Releases New Hospital Study

The Thomas Jefferson Institute recently released its annual analysis of Virginia hospitals' financial wellbeing, titled *Virginia's Hospitals: Doing Well in a Sluggish Economy*. The report confirms the hospital industry in Virginia has continued to enjoy solid earnings, and the authors say the industry's financial health remains strong. This year's study, authored by President Michael W. Thompson, shows hospitals earned a profit of \$1.89 billion in 2015, slightly less than the \$1.9 billion in 2014 - a difference of only six-one-hundredths of one percent. Additionally, the net worth of hospitals increased by 6.6 percent, or about \$1.1 billion. Thompson found in the report, "Over the past four years - from 2012 through 2015 - the number of hospitals running in the red has decreased by 35% - from 42 in 2012 to 27 in 2015." [Read more](#)

downsizing the federal government. Genevieve Wood, a senior fellow at The Heritage Foundation, gave taxpayers reason for hope: "I think you can expect to see bold reforms, and by that, I mean a real shrinking back and pulling back of the federal government's power when it comes to taxes, regulations, [and] telling people how to live their everyday lives."

### Health Care News

### Environment & Climate News

### School Reform News

	<h2>Heartland Institute</h2> <p>The Heartland Institute is a 33-year-old national non-profit organization dedicated to discovering, developing, and promoting free-market solutions to economic and social problems.</p>	<h2>Our Websites</h2> <p><a href="#">The Heartland Institute</a> <a href="#">PolicyBot</a> <a href="#">The Freedom Pub</a> <a href="#">The Parent Trigger</a> <a href="#">Climate Conference</a></p>
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**From:** Stuart Rosenblatt <stuart@rosenblatt.ccsend.com> on behalf of Stuart Rosenblatt <rosenblattstu@gmail.com>  
**Sent:** Monday, May 14, 2018 8:42 PM  
**To:** Rep07  
**Subject:** Legislator Alert---London Bank Magazine Warns of Debt Crisis! ; Build Infrastructure Like FDR



Buttonwood

## **Where will the next crisis occur? Corporate debt could be the culprit**



### **The Next Crash Will Be Worse!**

Print edition | Finance and economics, May 3rd 2018

INTEREST rates are heading higher and that is likely to put financial markets under strain. Investors and regulators would both dearly love to know where the next crisis will come from. What is the most likely culprit?

Financial crises tend to involve one or more of these three ingredients: excessive borrowing, concentrated bets and a mismatch between assets and liabilities. The crisis of 2008 was so serious because it involved all three-big bets on structured products linked to the housing market, and bank-balance sheets that were both overstretched and dependent on short-term funding. The Asian crisis of the late 1990s was the result of companies borrowing too much in dollars when their revenues were in local currency. The dotcom bubble had less serious consequences than either of these because the concentrated bets were in equities; debt did not play a significant part.

It may seem surprising to assert that the genesis of the next crisis is probably lurking in corporate debt. Profits have been growing strongly. Companies in the S&P 500 index are on target for a 25% annual gain once all the results for the first quarter are published. Some companies, like Apple, are rolling in cash.

But plenty are not. In recent decades companies have sought to make their balance-sheets more "efficient" by raising debt and taking advantage of the taxdeductibility of interest payments. Businesses with spare cash have tended to use it to buy back shares, either under pressure from activist investors or because doing so will boost the share price (and thus the value of executives' options).

At the same time, a prolonged period of low rates has made it very tempting to take on more debt. S&P Global, a credit-rating agency, says that as of 2017, 37% of global companies were highly indebted. That is five percentage points higher than the share in 2007, just before the financial crisis hit. By the same token, more private-equity deals are loading up on lots of debt than at any time since the crisis.

One sign that the credit quality of the market has been deteriorating is that, globally, the median bond's rating has dropped steadily since 1980, from A to BBB- (see chart). The market is divided into investment grade (debt with a high credit rating) and speculative, or "junk", bonds below

that level. The dividing line is at the border between BBB- and BB+. So the median bond is now one notch above junk.

Even within investment-grade debt, quality has gone down. According to PIMCO, a fund-management group, in America 48% of such bonds are now rated BBB, up from 25% in the 1990s. Issuers are also more heavily indebted than before. In 2000 the net leverage ratio for BBB issuers was 1.7. It is now 2.9.

Investors are not demanding higher yields to compensate for the deteriorating quality of corporate debt; quite the reverse. In a recent speech during a conference at the London Business School, Alex Brazier, the director for financial stability at the Bank of England, compared the yield on corporate bonds with the risk-free rate (the market's forecast for the path of official short-term rates).....

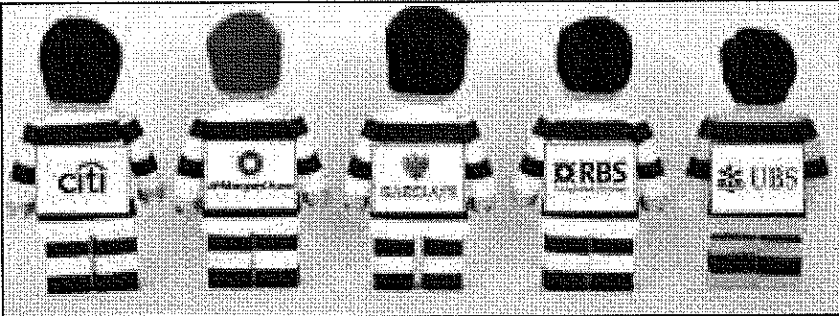
Mr Brazier also found that the cost of insuring against a bond issuer failing to repay, as measured by the credit-default-swap market, fell by 40% over the past two years. That makes it seem as if investors are less worried about corporate default. But a model looking at the way that banks assess the probability of default, compiled by Credit Benchmark, a data-analytics company, suggests that the risks have barely changed over that period.

**So investors are getting less reward for the same amount of risk. Combine this with the declining liquidity of the bond market (because banks have withdrawn from the market-making business) and you have the recipe for the next crisis. ....**

Matt King, a strategist at Citigroup, says that foreign purchases of American corporate debt have dried up in recent months, and the return on investment-grade debt so far this year has been -3.5%. He compares the markets with a game of musical chairs. As central banks withdraw monetary stimulus, they are taking seats away. Eventually someone will miss a seat and come down with a bump.....

[Read the Article Here](#)

# Banking Fraternity Felons - Except for Goldman Sachs



## Bank Fraternity Felons

By Pam Martens and Russ Martens: May 9, 2018

Three years ago this month the U.S. Department of Justice brought felony charges against two of the largest Wall Street banks, JPMorgan Chase and Citigroup, for their involvement in rigging foreign currency markets. On the same date, two foreign banks, Barclays PLC and the Royal Bank of Scotland (RBS), were charged with felonies in the same matter. A fifth bank, UBS, was charged with a felony for its role in rigging the interest rate benchmark known as Libor. All five banks pleaded guilty to the charges.

Citigroup was fined \$925 million by the Justice Department for its foreign currency conduct that ran from as early as December 2007 until at least January 2013, roughly five years. JPMorgan was fined \$550 million for rigging activity that ran from as early as July 2010 to January 2013, about two and a half years. The offenses the banks were charged with pertained to their foreign currency traders engaging in chat rooms with traders from competitor banks, sharing confidential customer order information in order to rig foreign currency markets and boost profits for their firms.

Somehow, Goldman Sachs slipped through the Justice Department's net. It was never charged with a felony by the Justice Department. **Now, three years later, the Federal Reserve and the New York State Department of Financial Services (DFS) have imposed a combined modest fine of \$109.5 million against Goldman Sachs for essentially**

**the very same conduct that resulted in Citigroup and JPMorgan Chase becoming felons and paying much steeper fines.**

The Fed's consent order with Goldman Sachs is slim on details but the DFS consent order describes dozens of instances where Goldman traders shared customer information and/or overtly attempted to manipulate the foreign currency market over a period of about 5 years from 2008 to early 2013. (Read the explicit examples here.)

The press release from the DFS sounds extremely similar to the charges leveled by the Justice Department against Citigroup and JPMorgan on May 20, 2015. The DFS stated:

"The DFS investigation found that from 2008 to early 2013, Goldman foreign exchange traders participated in multi-party electronic chat rooms, where traders, sometimes using code names to discreetly share confidential customer information, discussed potentially coordinating trading activity and other efforts that could improperly affect currency prices or disadvantage customers. This improper activity sought to enable banks and the involved traders to achieve higher profits from execution of foreign exchange trades, sometimes at customers' expense...

Why was the foreign exchange case against Goldman relegated to the Federal Reserve (the U.S. central bank that is known for its coziness with Wall Street) and the DFS, a state agency, instead of being handled by the Justice Department's criminal enforcement division that has the power to level felonies? This is just one more of those mysteries that habitually enshrine a fog around the meting out of justice on Wall Street. But there is one previous case that comes to mind where Goldman Sachs made out very well under the Kindly Uncle treatment of the Federal Reserve.

Carmen Segarra was a bank examiner with a law degree at the Federal Reserve Bank of New York. Segarra charged in a Federal lawsuit filed in October 2013 that she was told to change her negative examination of Goldman Sachs by her colleagues at the New York Fed, who she says also obstructed and interfered with her investigation. When Segarra refused to alter her findings, she was terminated in retaliation and escorted from the Fed premises according to her lawsuit.....

Segarra's Federal lawsuit was filed in the U.S. District Court for the Southern District of New York. Her Judge was Ronnie Abrams, wife of



Greg Andres, a partner at law firm Davis Polk & Wardwell LLP. The case was before the court from October 2013 until April 3, 2014 when Judge Abrams scheduled a telephone conference with both sides to advise that **"it had just come to her attention that her husband...was representing Goldman Sachs in an advisory capacity.".....**

**According to footnotes in the decision, Noone, the attorney for the New York Fed, also previously worked for the Davis Polk & Wardwell law firm, as did the Judge previously.**

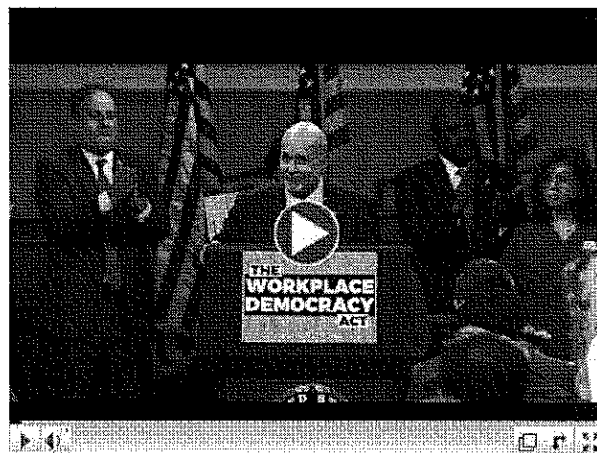
Less than three weeks after the Judge revealed her husband's advisory work for Goldman Sachs, **she threw out Segarra's case while refusing to provide any further details on her husband's involvement with Goldman Sachs.....**

At the time this all went down at the Fed, William (Bill) Dudley was its President. (Dudley is set to retire from the New York Fed on June 17.) Prior to joining the Fed, Dudley worked at **Goldman Sachs from 1986 to 2007 in senior positions.**

[Read the article here](#)

**<https://www.sanders.senate.gov/>**

## **Sanders, Pocan Lead Bill to Restore Workers' Rights**



## **Senator Sanders, Rep. Pocan, Introduce Workers Rights Bill**

Wednesday, May 9, 2018

WASHINGTON, May 9 - With public support for unions at 61 percent, the highest in 15 years, Sen. Bernie Sanders (I-Vt.), Rep. Mark Pocan (D-Wis.) and their colleagues in the Senate and House introduced legislation Wednesday that would strengthen the middle class by restoring workers' rights to bargain for better wages, benefits and working conditions. The legislation has been endorsed by virtually every major union in America.

Unions lead to higher wages, better benefits and a more secure retirement. Union workers earn 26 percent more, on average, than non-union workers. Union workers are also half as likely to be victims of health and safety violations or of wage theft, 18 percent more likely to have health coverage, and 23 percent more likely to have either an employer sponsored pension or 401(k).

However, the rights of workers to join together and bargain for better wages, benefits, and working conditions have been severely undermined. Sixty years ago, nearly a third of all workers belonged to a union. Today, that number has gone down to less than 11 percent. When workers become interested in forming unions, 75 percent of private-sector employers hire outside consultants to run anti-union campaigns. An employee who engages in union organizing campaigns has a one in five chance of getting fired.

"We must no longer tolerate CEOs and managers who intimidate, threaten or fire pro-union workers, who threaten to move plants to China if their workers vote in favor of a union, and who refuse to negotiate a first contract with workers who have voted to join unions," Sanders said. "If we are serious about reducing income and wealth inequality and rebuilding the middle class, we have got to substantially increase the number of union jobs in this country.".....

The Workplace Democracy Act would make it easier for workers to join unions in a number of ways.

It would end right to work for less laws by repealing Section 14(b) of the Taft Hartley Act, which has allowed 28 states to pass legislation

eliminating the ability of unions to collect fair share fees from those who benefit from union contracts and activities.

Under the legislation, when a majority of workers in a bargaining unit sign valid authorization cards to join a union, they must have a union. Companies would not be allowed to deny or delay a first contract with workers who have voted to join a union. Unions would be given the right to have their voice heard through secondary boycotts and picketing. And workers would have the right to know when their company spends millions of dollars running anti-union campaigns.....

"When workers' rights to collective bargaining are attacked and undermined, corporations have enormous power over their workers and can keep wages so low that even full-time employees are still living in poverty," said Sen. Kirsten Gillibrand (D-N.Y.). "That is not how our economy is supposed to work. We need to start rewarding work again in this country, and that means making sure every worker has the right to join together to fight for the pay and protections they deserve. I am proud to fight for this important legislation with Senator Sanders, and I urge all of my colleagues in the Senate to join us in standing up for our workers."

The bill is cosponsored in the Senate by Sens. Tammy Baldwin (D-Wis.), Cory Booker (D-N.J.), Sherrod Brown (D-Ohio), Kirsten Gillibrand (D-N.Y.), Kamala Harris (D-Calif.), Patrick Leahy (D-Vt.), Edward Markey (D-Mass.), Jeff Merkley (D-Ore.), Chris Van Hollen (D-Md.), Elizabeth Warren (D-Mass.), Sheldon Whitehouse (D-R.I.) and Ron Wyden (D-Ore.). Rep. Rosa DeLauro (D-Conn.) introduced the bill with Pocan in the House.



Executive Intelligence Review

## **The Spider's Web Movie: London Finance Dominates the World, Ruins Economies, Including America's!**



It lays bare the tremendous damage the City of London and its banks have done to the world economy-and the U.S. economy-since the 1960s. In its title, its creators are not referring to a secondary British empire, but to the re-establishment of the British Empire after its decisive military demise in the 1950s.

The workings of the UK's dependent territories, the island financial havens Jersey, Guernsey, British Virgin Islands, Cayman Islands, Gibraltar, formerly Bahamas, etc. have been notorious for years. But the documentary's broad overview successfully creates an entirely different understanding of them for the viewer. London's havens, run directly by the Bank of England and City of London, have been drawing the assets of the world into the City of London's banks for 50 years. This has made London again globally dominant financially, able to loot the developing countries and to drive the U.S. economy, among others, toward speculation over lending, "financialization," highly risky "securitization," and deregulation of Wall Street.

The film's experts show that London has been able to drive deindustrialization of the American and European economies, particularly since London's "Big Bang" financial deregulation of October 1986, which called the shots for trans-Atlantic bank deregulation.

Moreover, by establishing the "bolt holes"-the Bank of England's own word for tax-evading island wealth-sinks-and the rules enabling financial corporations and multinationals to pay minimal taxes, and wealthy individuals none at all, London has driven wealth inequality to unprecedented levels, gorgeously rewarded non-productive investment of nations' savings, and triggered the growth of populism in opposition.

In short, London has driven down growth, productivity, and productive lending and investment in economies throughout the world for half a century. This is the same half-century in which productivity growth and technological breakthroughs have slowed to a virtual stop in the United States economy-to the great puzzlement of economists; its active workforce has begun to shrink; and wars and drug addictions have taken over.....

The Spider's Web presents a straightforward narrative of the creation of the "Second British Empire."

Begin with Clement Atlee, British Prime Minister 1945-51: "Over and over we have seen that there is another power than that which has its

seat at Westminster. The City of London, a convenient term for a collection of financial interests, is able to assert itself vs. the government of the country.".....

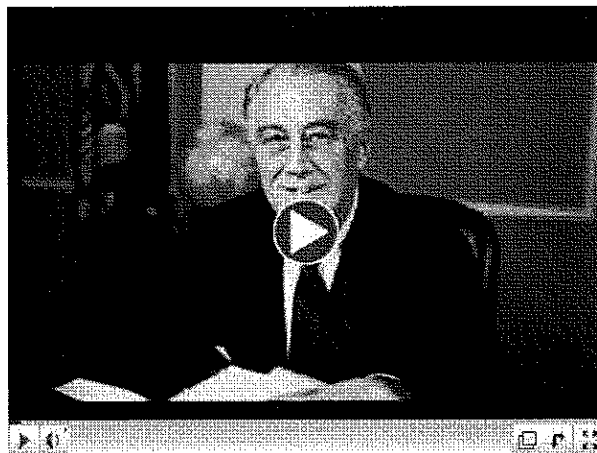
Productive investment in the industrialized countries of Europe and North America has been disincentivized at all levels, because it is regulated and taxed, while non-productive and securitized investment, particularly FIRE investment ("Financial Independence and Retiring Early"), has the offshore world at its disposal, unregulated and untaxed.....

London as the cause behind the screen-for the replacement of bank separation by bank deregulation, the looting of the developing countries, disinvestment in production, creation of "the 1%," terror financing-is exposed in The Spider's Web. Britain's Second Empire is what the new paradigm of the New Silk Road has emerged to replace. **Reinstatement of Glass-Steagall alone would begin the Empire's destruction.**



## American System Now

### **The American Special Century of Economic Progress---The Franklin Roosevelt Infrastructure and Industrial Recovery, 1930-1950**



## **President Franklin Roosevelt Dedicating the Bonneville Dam**

This is part three of a four-part review of **Robert Gordon's The Rise and Fall of American Growth: The U.S. Standard of Living Since the Civil War**, an extremely useful book on the nation's physical economy.

### **1930-1950: The Golden Age of Productivity**

The Rise and Fall of American Growth singles out the 20-year period 1930-1950 as the centerpiece of the expansion of real production and productivity. Gordon calls it "The Great Leap Forward." He says that the period is not continuous, but can be broken up into several time frames. First is the plunging economy of the Great Depression period of 1929-1933, followed by the partial recovery of 1933-1937, the period coinciding with the New Deal. However, the removal of federal intervention in 1937 led to a precipitous fall in output and productivity and a steep recession in 1938, which, in turn, was followed by the World War II buildup, which Gordon correctly labels as "explosive."

The irony of this period, Gordon writes, is that although much of the economy had collapsed, innovation in new industries and technologies continued.

The TVA project, which transformed a 7-state area, is exemplary of the revolution in infrastructure created under the FDR Administration.

There were two aspects to developments in the 1930s. First was the massive surge in direct investment in infrastructure orchestrated by the Roosevelt administration. This included expansion of the highway network, and major projects such as the Tennessee Valley Authority, Golden Gate Bridge, Hoover Dam, the Bay Bridge, etc. This is clearly reflected in the growth of Total Factor Productivity (TFP) throughout the decade along with a rise in overall output. Second, innovations from earlier breakthroughs were made.

These included developments in urban infrastructure, water-purification projects, electricity-grid expansion, urban transit, and the like. There was also the further build-out of the auto industry, and related feeder industries, such as steel, machinery, auto parts, and components, etc. While Gordon spends too little time on the impact of the New Deal, and fails to fully elaborate the critical role of the new infrastructure platform in

increasing overall productivity, he does, however, fully comprehend the impact of new technologies in driving the upward trend of productivity.

Toward this end, he introduces the concept "General Purpose Technology (GPT)"; he attributes this term to authors Timothy Bresnahan and Manuel Trajtenberg, who wrote General Purpose Technologies "Engines of Growth?" (1992) as a working paper for the National Bureau of Economic Research. He says that fundamental inventions, such as electricity and internal combustion engines, can be labeled GPTs. They, in turn, spawn sub-inventions, which help drive the economy. Examples of GPT are: electricity and the internal combustion engine.

In this table, Gordon points out that electricity generated by industrial establishments grew by 57% between 1929 and 1941, even greater than the 31% from 1941 to 1950.

Electricity output continued to increase during the 1930s, '40s and beyond; during the war years, electricity from government-owned or -financed establishments surpassed those of privately owned sources. From 1929 to 1950, electricity production rose by 3.3 times.

By 1929, the United States produced 80% of the world's motor vehicles; the auto industry would then be converted to turn out the planes, tanks, trucks, and other vehicles deployed to win the war.

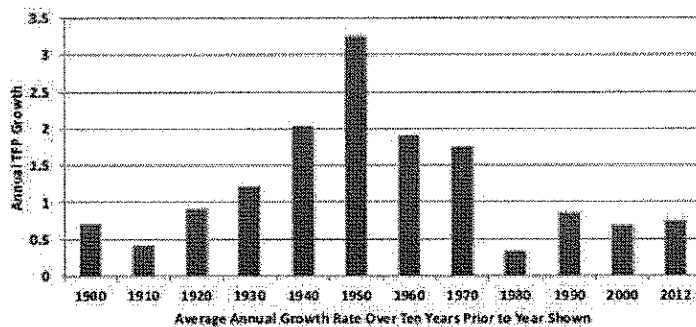
Breakthroughs in production engineering and new sub-inventions in the 1930s contributed to the increase in output and **Total Factor Productivity**. Gordon acknowledges the role of the Roosevelt Administration in fostering the climate for this expansion, but he misses the boat on the revolutionary role of the New Deal in shaping the outcome.

Electricity and automotive production expanded in the 1930s and was coupled with increased investments in new equipment. Spending in new structures (buildings, factories, etc.) remained depressed during the decade, but equipment investment rebounded sharply. New investment rose every year during the New Deal, accompanied by constant innovations. "Railroad locomotives, trucks, tractors, and industrial equipment manufactured in the late 1930s were all of substantially higher quality than their counterparts of the 1920s.".....



## How Did Innovation in the Past Compare with the Past 40 Years?

10-Year Average Annual Growth in Total Factor Productivity, 1900-2012



Gordon also emphasizes the impact of New Deal labor legislation on TFP calculations. The New Deal brought in the 40-hour work week; pay and benefits began to increase, along with mechanization. Gordon is convinced that this change contributed mightily to the increase in TFP during the 1930s, and beyond. The net result of this change during the New Deal period was the second-highest rate of TFP growth in U.S. history.

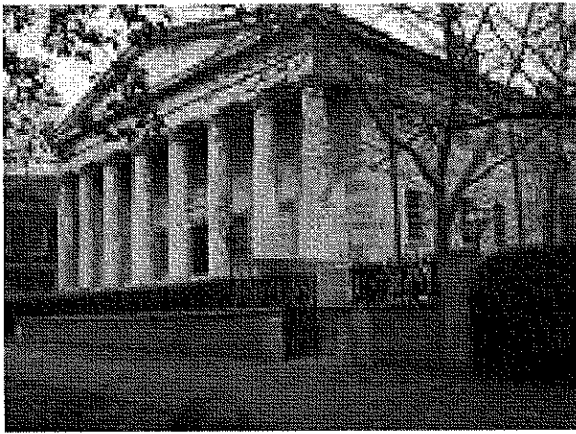
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American System Now

### Draft Legislation to Create a Bank for Infrastructure



Second Bank of the United States, Philadelphia, Pa.

June 12-Once the separation between commercial banking and speculation has been re-established, the problem of a supply of cheap, long-term credit for the physical economy is easily solvable. Given the enormous needs for infrastructure building and rebuilding, this will require Federal credit and Federal credit guarantees. There are various means by which this can be achieved, ranging from the establishment of a new National Bank to replace the Federal Reserve, the creation of a bank specifically dedicated to infrastructure (similar to FDR's Reconstruction Finance Corporation), or even the use of powers of the Federal Reserve to supply credit to the economy.

It is critical that the parameters used for the issuance of such credit follow the principles laid out by Alexander Hamilton: They must add to the productivity (productive powers) of the nation as a whole. Thus, investments in infrastructure must be concentrated in the highest technological realm available-as in high-speed rail for transportation, nuclear power for power supplies, etc. In addition, funds must flow to frontier science-driver projects such as space exploration and nuclear fusion power, in order to provide the basis for the next generation of technological advance.

Historically, all the great leaps in productivity in the U.S. economy can be traced to the investments spurred by the great American System Presidents, from Washington to JFK in what could be called Great Projects. These ranged from roads (National Road) and canals (Erie Canal), to railways (Lincoln's Transcontinental Railroad), to water systems (FDR's great dam projects and the TVA), to rural electrification and the space program (JFK). The Federal government's role in these projects varied greatly, but in each case, provision was made for the debt

incurred to be paid off over the long-term, through increased productivity in the economy as well as dedicated funds for the payment of interest.

## **DRAFT LEGISLATION**

### **To Create a Bank of the United States for Infrastructure and Manufacturing**

#### **SECTION I: FINDINGS AND PURPOSES**

a) To return to a policy of building modern economic infrastructure and productivity which it has lacked for half a century, the United States should return to a Hamiltonian credit and banking system as under the original Bank of the United States; the Second Bank of the United States; the 1841 Fiscal Bank of the United States; the Lincoln Administration Banking Acts of 1863 and 1864; and the Roosevelt Administration's Agricultural Adjustment Act and Reconstruction Finance Corporation. Alexander Hamilton's bank and credit policies were extremely successful whenever used in the advancement of productivity and production.....

c) Under restored Glass-Steagall regulation, the establishment of a Bank of the United States operating as a commercial bank, will restore the valid profit to the commercial banking system which arises from manufacturing, industry, increasing productivity of lands and soils, and the building of new, technologically advanced infrastructure which promotes these.

d) It is a purpose of the United States Congress in creating a third Bank of the United States, to return to the level of progress of the United States "golden age of productivity," 1935-65, when multi-factor productivity advanced by 3-4% annually, in contrast to less than 0.5% annually over the past decade.

[Read the Entire Bill Here](#)

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**From:** Public Policy Law360  
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**To:** Rep07  
**Subject:** Trump's Interior Pick Says Climate Change 'Undisputable'



PUBLIC POLICY

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Wednesday, January 18, 2017



## TOP NEWS

### Trump's Interior Pick Says Climate Change 'Undisputable'

Rep. Ryan Zinke, R-Mont., Donald Trump's nominee for interior secretary, parted ways with earlier comments by the president-elect by saying during Senate confirmation hearings on Tuesday that he doesn't believe climate change is a hoax, but suggested that there is still a place for fossil fuel drilling on federal lands.

### IRS Finalizes Anti-Inversion Rule, With Some Tweaks

The Internal Revenue Service has finalized rules meant to make it harder for U.S. businesses to lessen their tax burden by merging with foreign companies, although the agency tweaked the requirements to meet certain exceptions to the regulations.

### If Not Replaced, ACA Repeal Could Double Premiums: CBO

## LAW FIRMS

Akin Gump  
Allen & Overy  
Altshuler Berzon  
Baker Botts  
Balch & Bingham  
Bangs McCullen  
Berger Singerman  
Bircham Dyson  
Brann & Isaacson  
Buchanan Ingersoll  
Cadwalader Wickersham  
Chadbourne & Parke  
Cravath Swaine  
DLA Piper  
Davis Graham  
Davis Wright Tremaine  
Dentons  
Dewey & LeBoeuf  
Duane Morris

With Congressional Republicans working toward repealing the Affordable Care Act, the nonpartisan Congressional Budget Office said Monday that scrapping only parts of "Obamacare" could result in 32 million people losing health insurance and premiums doubling by 2026.

### **3 Takeaways As FDA Dishes On Interchangeable Biosimilars**

The U.S. Food and Drug Administration's long-awaited guidance on biosimilar interchangeability contains lots of flexible language that means the coveted designation could be much more attainable for some products than others, experts say. Here are three takeaways from Tuesday's draft guidance.

### **Puzder Denies Report He May 'Bail' On Labor Nomination**

Andrew Puzder, the fast food executive whom President-elect Donald Trump tapped to serve as U.S. secretary of labor, on Monday tweeted that he is "looking forward" to his confirmation hearing, amid media reports that he was considering withdrawing himself from consideration for the job.

### **Obama Commutes Chelsea Manning's Prison Sentence**

President Barack Obama on Tuesday commuted the sentence of Chelsea Manning, the soldier convicted of leaking a trove of classified information to the website WikiLeaks, according to media reports.

### **Trump Asks If Outgoing CIA Head 'Leaker Of Fake News'**

President-elect Donald Trump has lashed back at outgoing CIA Director John Brennan's suggestion that he does not fully understand Russia's threat to national security, questioning if Brennan leaked "fake news" and deepening his rift with the U.S. intelligence community.

## **BANKING & SECURITIES**

Earthjustice  
Faegre Baker  
Goldstein & Russell  
Goodwin  
Gray & Associates  
GrayRobinson  
Greenberg Traurig  
Hickey & Evans  
Hogan Lovells  
Hunton & Williams  
King & Wood Mallesons  
Kirkland & Ellis  
Latham & Watkins  
McDermott Will  
Milbank Tweed  
Mintz Levin  
Mishcon de Reya  
Morgan Lewis  
O'Melveny & Myers  
Orrick Herrington  
Paul Weiss  
Seward & Kissel  
Sidley Austin  
Skadden  
Stoel Rives  
Sullivan & Cromwell  
Van Ness Feldman  
Wachtell Lipton  
Willkie Farr  
Winston & Strawn  
Zuckerman Spaeder

## **COMPANIES**

AT&T Inc.  
AbbVie Inc.  
Aerospace Industries Association  
Air Line Pilots Association  
International  
Allergan PLC

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**Mary Jo White Says SEC Must Remain An Independent Agency**

Outgoing U.S. Securities and Exchange Commission Chair Mary Jo White said Tuesday the agency must remain independent in the face of "partisan tides" and constricting legislation in order to fulfill its mission of protecting investors.

**Senate Dems Won't Negotiate CFPB's Makeup, Schumer Says**

Senate Democrats will not negotiate to replace the Consumer Financial Protection Bureau's single-director leadership with a commission structure similar to that of other financial regulatory bodies, the party's leader in that chamber said Tuesday.

**NY Says OCC Fintech Charter Puts Consumers At Risk**

New York's top financial watchdog on Tuesday blasted a federal regulator's proposal to create a new charter for nonbank online lenders and other financial technology firms, saying that the new charters would open the door to weakening state consumer protection laws.

**Texas Bank Can't Leapfrog To Full DC Circ. In CFPB Case**

A D.C. federal judge on Tuesday shot down a Texas bank's bid to join an appeal before the full D.C. Circuit concerning the constitutionality of the Consumer Financial Protection Bureau's single-director leadership, rejecting the bank's arguments the move would serve the interest of "judicial economy."

**ENERGY & ENVIRONMENTAL**

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**Enviros Urge Justices To Pass On Polar Bear Habitat Appeal**

The Center for Biological Diversity is urging the U.S. Supreme Court not to upend a Ninth Circuit decision backing the U.S. Fish and Wildlife Service's critical habitat designation for

America Fujikura Ltd.  
American Bankers Association  
American Bar Association  
American Cable Association  
American Federation of Labor and Congress of Industrial Organizations  
Aramark Corp.  
Arctic Slope Regional Corp.  
Associated Press  
BuzzFeed Inc.  
CKE Restaurants, Inc.  
CTIA  
Caterpillar Inc.  
Center for Biological Diversity Inc.  
Chevron Corporation  
Competitive Carriers Association  
Cox Communications Inc.  
Depository Trust & Clearing Corp.  
DraftKings Inc.  
Education Management Corporation  
Energy Transfer Partners, L.P.  
Environmental Defense Fund Inc.  
FanDuel Inc.  
First Financial Holdings, Inc.  
Ford Foundation  
International Brotherhood of Teamsters  
International Swaps and Derivatives Association  
Life Care Centers of America  
Lockheed Martin  
Lyft Inc.  
Marathon Petroleum Corp.  
MoneyGram International, Inc.  
National Association of Manufacturers  
National Collegiate Athletic Association

the polar bear, saying the state of Alaska and other challengers have made too big of a deal out of the size of the habitat designation.

### **BLM Venting Rules Take Effect As Court Case Continues**

Three Western states and industry groups lost a bid Monday to block a Bureau of Land Management rule aimed at limiting methane releases from drilling operations on federal and Native American lands from taking effect Tuesday while a Wyoming federal judge hears the merits of the case.

### **EPA Wants To Revise Haze Rules Over Texas' Objection**

The U.S. Environmental Protection Agency and environmental groups have asked the Fifth Circuit to deny Texas' bid to throw out part of the federal government's regional haze plan, arguing that instead the EPA should be allowed to revise the plan on remand.

## **HEALTH & LIFE SCIENCES**

### **After Historic Vote, Fla. Drafts New Medical Pot Rules**

The Florida Department of Health on Tuesday published its initial proposed rule for a medical marijuana program, taking a step toward implementing the recently passed Amendment 2 but creating controversy by charting a course closer to existing law than the broader guidelines voters overwhelmingly passed in November.

### **Ex-House Attys Urge High Court To Review Menendez Ruling**

Former general counsels of the U.S. House of Representatives have joined U.S. Sen. Bob Menendez, D-N.J., in urging the U.S. Supreme Court to review a Third Circuit decision upholding his corruption charges, saying the ruling improperly allows scrutiny of a

National Oilwell Varco Inc.  
National Telephone Cooperative Association  
New York City Bar Association  
New York State Academy of Trial Lawyers  
New York State Bar Association  
New York State Trial Lawyers Association  
Newegg Inc.  
Olgoonik Corp.  
Omnicare Inc.  
Overstock.com Inc.  
PHH Corporation  
Pfizer Inc.  
PhRMA  
Plains All American Pipeline, L.P.  
Plantronics Inc.  
Sierra Club  
T-Mobile USA Inc.  
Tata Consultancy Services Ltd.  
The American Law Institute  
The Boeing Company  
The Hospital and Healthsystem Association of Pennsylvania  
Tikigao Corp.  
Trinity Industries Inc.  
Turner Broadcasting System Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
Universal Health Services Inc.  
Verizon Communications  
Wayfair LLC

## **GOVERNMENT AGENCIES**

Alaska Department of Law  
Bureau of Indian Affairs  
Bureau of Land Management  
Central Intelligence Agency



lawmaker's motives to gauge whether legislative acts are constitutionally protected.

### **FDA's Foreign Offices Are Short-Staffed, Report Says**

The U.S. Food and Drug Administration's foreign drug inspection program is persistently understaffed despite overall improvements to the program in recent years, the U.S. Government Accountability Office said in a report released Tuesday.

## **MEDIA & ENTERTAINMENT**

### **Pa. Senators Push Bill To Regulate Daily Fantasy Sports**

Two Pennsylvania state senators from both sides of the aisle on Tuesday said that they plan to introduce legislation to permit and regulate the operation of daily fantasy sports games in Pennsylvania.

### **NY Looking To Test Sports Betting Ban, Wagering Chair Says**

New York could be the next state to challenge a federal law prohibiting states from authorizing sports betting as New York Assemblyman J. Gary Pretlow, who chairs the Racing and Wagering Committee, told Law360 he plans to float a sports betting legalization bill this month, a move that will likely land the state in federal court.

## **TRANSPORTATION & INFRASTRUCTURE**

### **Pilots, Flight Attendants Sue DOT Over Norwegian Air Permit**

A coalition of unions representing pilots and flight attendants has sued the U.S. Department of Transportation in the D.C. Circuit to challenge the agency's grant of a foreign air carrier permit to Norwegian Air Shuttle ASA's Irish subsidiary.

## **EMPLOYMENT**

Commodity Futures Trading Commission  
Congressional Budget Office  
Consumer Financial Protection Bureau  
Executive Office of the President  
Federal Acquisition Regulatory Council  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Energy Regulatory Commission  
Federal Trade Commission  
Fish and Wildlife Service  
Florida Department of Health  
Food and Drug Administration  
Government Accountability Office  
Internal Revenue Service  
International Trade Commission  
NATO  
National Aeronautics and Space Administration  
National Park Service  
New York State Department of Financial Services  
Office of the Comptroller of the Currency  
San Francisco Bay Area Rapid Transit District (BART)  
Securities and Exchange Commission  
South Dakota Department of Revenue  
U.S. Air Force  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Justice  
U.S. Department of Labor

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### **Uber Sues Seattle To Stop New Driver Unionization Rule**

Uber sued the city of Seattle in Washington state court Tuesday to block rules permitting for-hire drivers to participate in collective bargaining opportunities, alleging they run afoul of the state's constitution.

### **GOVERNMENT CONTRACTS**

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### **Acquisition Council Issues Proposed Sustainability Rule**

The Federal Acquisition Regulatory Council issued a proposed rule Tuesday to implement a presidential sustainability directive, saying the proposal will improve federal agencies' environmental performance and reduce greenhouse gas emissions by changing their purchasing habits.

### **Boeing CEO Touts Contract Progress After Trump Meeting**

Boeing's CEO Dennis Muilenburg said Tuesday he and President-elect Donald Trump had discussed driving down costs on the pending Air Force One replacement contract, as well as the possibility of the Pentagon buying Boeing's F/A-18 instead of Lockheed Martin's F-35, days after Trump held a similar meeting with Lockheed's CEO.

### **McCain Says Pentagon \$430B Short Of Military Readiness**

Sen. John McCain, one of Congress's most outspoken defense hawks, let out a clarion call Monday to boost military spending above sequestration levels in 2018, saying in a new report only \$430 billion in additional Pentagon funding over the next five years can preserve U.S. military readiness.

### **TAX**

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### **IRS Finalizes Corporate-Level Tax On Certain REIT Transfers**

U.S. Department of Transportation

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. General Services Administration

U.S. House of Representatives

U.S. Marine Corps

U.S. Senate

U.S. Supreme Court

A new Internal Revenue Service regulation to impose a corporate-level tax on certain property transfers to real estate investment trusts and regulated investment companies will go into effect Wednesday.

### **Del. Poses Bill To Limit Unclaimed Property Collection**

Amid a high court battle between Delaware and several other states over who gets to keep abandoned MoneyGram checks, a Delaware state senator has introduced a bill that claims to make the state's unclaimed property laws fairer and more in line with those of other states.

### **South Dakota Remote Sales Tax Suit Returns To State Court**

A group of online retailers being sued by South Dakota under its new law enforcing sales tax collection on certain out-of-state businesses was dealt a blow Tuesday when a federal judge punted the lawsuit back to state court.

### **Pa. GOP Sen. Floats 5% Natural Gas Tax To Fund Pensions**

A Pennsylvania Republican state senator on Tuesday said he intends to reintroduce legislation that would impose a 5 percent levy on natural gas producers in the state and direct the receipts to offset the state's unfunded pension liabilities.

## **BANKRUPTCY**

### **2nd Circ. Says EDMC Restructuring Did Not Violate Bond Law**

The Second Circuit on Tuesday overturned a federal district judge's finding that a \$1.5 billion out-of-court restructuring proposed by for-profit college operator Education Management Corp. violated a Depression-era law meant to protect bondholders, saying the payment terms governing the bonds at issue were not modified.

## **IMMIGRATION**

### **Justices Mull 'Crime Of Violence' In Immigration Case**

The U.S. Supreme Court on Tuesday heard oral arguments in an immigration case over whether the definition of a "crime of violence" is unconstitutionally vague, with the justices grappling with the vagueness standard and how the definition differed from a separate statute that was struck down in 2015.

### **Shepherds Ask Court To End DOL's H-2A Wage Floor**

A group of shepherds challenging a 2015 Department of Labor rule setting a pay floor for long-term livestock workers on temporary H-2A visas urged a D.C. federal court on Monday to deal them a quick win and to find the rule is illegal.

## **TELECOMMUNICATIONS**

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### **FCC Auction's Clearing Cost Drops To \$10B**

The Federal Communications Commission's spectrum incentive auction is on track to bring in a fraction of its original goal of more than \$80 billion, as the agency has set a target for its next round of the incentive auction at just over \$10 billion, according to a Tuesday post on the FCC's website.

### **FCC's Transparency Rules Go Into Effect For All Providers**

Enhanced transparency rules under the Federal Communications Commission's 2015 Open Internet Order went into effect on Tuesday despite a plea from several trade associations, although a Democratic commissioner lamented the effect on small providers and a Republican commissioner pushed action soon.

### **Hispanic Media Tell FCC Viewers' Mail Should Be Kept**

The National Hispanic Media Coalition has urged the Federal Communications Commission not to drop its requirement that

commercial broadcasters retain copies of correspondence from the public, arguing that the correspondence can aid the public when filing complaints against certain broadcast content.

## PEOPLE

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### **Latham & Watkins Brings On 2 Energy-Focused Partners**

Latham & Watkins LLP has hired two partners with energy expertise who collectively will bring more than 50 years of experience to the firm's Washington, D.C., office, the firm announced Tuesday.

### **Ex-Cravath Atty, Hedge Fund Runner Get 2nd CFTC Seat Try**

Just days before stepping out of office, the Obama administration on Tuesday renewed a bid to fill a pair of vacancies at the U.S. Commodity Futures Trading Commission, re-nominating a former Cravath Swaine & Moore LLP attorney and a hedge fund manager who didn't advance last year.

## EXPERT ANALYSIS

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### **Evidence Substantiation Burden May Soon Shift To FTC**

To date, questions about how the Trump administration will impact the Federal Trade Commission have focused primarily on antitrust issues, but clues to how the new administration will affect consumer protection issues might be found by examining the record of former Commissioner Joshua Wright, whom Trump has named to lead the FTC transition efforts, say attorneys at Skadden Arps Slate Meagher & Flom LLP.

### **Hague Convention's Impact On Secured Transactions**

Choice-of-law rules for the perfection and priority of a security interest in "securities credited to a securities account" will change on

April 1, 2017, when the Hague Securities Convention comes into effect. Edwin Smith and Alan Beloff of Morgan Lewis & Bockius LLP describe what steps secured parties may need to take now for existing secured transactions and in planning for new ones.

### **Key Trade Secret Developments Of 2016: Part 2**

Our first article in this two-part series focused on the most significant event in trade secret law in many years — the passage of the federal Defend Trade Secrets Act. Now we leave the DTSA and highlight five other trade-secret trends that promise to shape future developments, say attorneys with Faegre Baker Daniels LLP.

### **Health Care Enforcement Review And 2017 Outlook: Part 2**

In 2016, courts around the country heard cases involving a variety of False Claims Act and other enforcement-related matters. Going forward these case law developments are expected to have an impact on both the scope of FCA liability and the means by which FCA liability can be proven at trial, say attorneys at Mintz Levin Cohn Ferris Glovsky and Popeo PC.

### **Amended Rule 37(e): 1 Year Later**

After a full year in effect, the amended Federal Rule of Civil Procedure 37(e) has been tested in a variety of district courts. A sampling of these decisions reveals that courts seem to be adhering closely to the amended rule and ordering adverse inference instructions only where there was intent to deprive another party of access to relevant information, say Carrie Amezcua and Samantha Southall of Buchanan Ingersoll & Rooney PC.

## **LEGAL INDUSTRY**

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### **How To De-Stress And Find Balance As A Busy Lawyer**

Tackling stress as an attorney may feel like a losing proposition given the profession's high-pressure work and long hours, but experts say even the most tightly wound lawyers can reduce stress and find balance. Here are five ways.

### **Elite Firms Aren't Safe From Industry Upheaval, Report Says**

The future of the legal sector is currently marked by uncertainty and volatility, with major changes on the horizon that will likely impact even elite law firms' compensation systems and cultures, according to a report out Tuesday by Major Lindsey & Africa.

### **Cadwalader Closing Houston Office**

Cadwalader Wickersham & Taft LLP said on Tuesday that it will close its Houston office as part of the firm's decision to consolidate around its core client base of large corporations and the financial sector, including banks and hedge funds.

### **Cuomo Taps Cravath Partner For Seat On NY High Court**

New York Gov. Andrew Cuomo on Monday selected Cravath Swaine & Moore LLP's longtime complex litigation partner Rowan D. Wilson to become an associate judge on the state's Court of Appeals, taking the place of recently retired Associate Judge Eugene F. Pigott

### **Dewey Execs Blast DA's Bid To Limit Star Witness Questions**

Two former Dewey & LeBoeuf LLP executives have shot back at a bid by the Manhattan district attorney's office to limit cross-examination of a cooperating witness in the upcoming retrial over alleged accounting fraud, saying they have a right to explore whether the witness is "shading his testimony to curry favor."

### **KWM Appoints Administrators Amid Financial Woes**

Cash-strapped global law firm King & Wood Malleons LLP filed for administration with a U.K. court on Tuesday and selected an independent agency to handle its financial future, a representative for the firm confirmed.

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**To:** Rep07  
**Subject:** Trump's Contracting By Twitter Likely To Backfire



Tuesday, January 24, 2017



## TOP NEWS

### Analysis

#### **Trump's Contracting By Twitter Likely To Backfire**

President Donald Trump's efforts to involve himself in the federal contracting process through Twitter are unprecedented, and could inadvertently drive up costs or touch off lawsuits if he doesn't soon take a more hands-off approach, attorneys said.

#### **Trump Freezes Federal Hiring, With Some Exceptions**

President Donald Trump signed an executive memorandum on Monday that freezes federal hiring but gives agency heads the power to make exceptions for national security or public safety and lets the Office of Personnel Management grant carve-outs where "otherwise necessary."

#### **DynCorp Issues Redacted Complaint In \$10B Contract Fight**

U.S. defense contractor DynCorp has filed a redacted version of a previously sealed complaint in its bid dispute over a \$10 billion State Department counter-narcotics contract awarded to a competitor it claims stole its trade secrets to improve its bid.

## LAW FIRMS

Ballard Spahr  
Blank Rome  
Bradley  
Carlton Fields  
Chaffetz Lindsey  
Clayman & Rosenberg  
Covington & Burling  
Dewey & LeBoeuf  
Frankfurt Kurnit  
Freshfields  
Furr & Cohen  
Greenberg Dauber  
Hall Booth  
Hinshaw & Culbertson  
Hogan Lovells  
Jackson Lewis  
James & Hoffman  
Latham & Watkins  
LeClairRyan  
Lippes Mathias  
McCarter & English  
Quinn Emanuel  
Schulte Roth  
Seward & Kissel  
Skadden

### **Contractor Denied Redo On \$150M Special Forces Exclusion**

A Federal Claims judge refused Monday to reconsider his decision nixing a bid protest on a wide-ranging U.S. Special Operations Command contract worth up to \$150 million, concluding the rejected company is simply trying to relitigate already-decided issues.

### **Michigan Prison Food Contractor Hit With \$2M In Penalties**

Michigan's Department of Corrections has imposed more than \$2 million in penalties on a private contractor for kitchen services over understaffing, service delays, sanitation violations and unauthorized meal substitutions, a representative for the department confirmed Monday.

### **FCA Suit Alleging \$1B In Masked Russian Tech Gets Ax**

A California federal judge recently sent former Safran employees back to the drawing board, finding too vague their False Claims Act allegations — that the French security contractor disguised over \$1 billion in Russian fingerprinting technology — and their discussion of the corporate family tree.

### **Senate Confirms Trump CIA Pick Despite Privacy Concerns**

After hearing out objections from a number of Democrats over privacy concerns, the Senate on Monday approved President Donald Trump's pick for Central Intelligence Agency director, Rep. Mike Pompeo, R-Kan., as the third member of the new president's administration.

## **POLICY & REGULATION**

### **Trump Revives Policy Separating NGO Aid From Abortions**

President Donald Trump on Monday signed an executive order reinstating the so-called Mexico City Policy, which forbids any foreign nongovernmental organizations that receive

Smith Currie  
Vinson & Elkins  
Williams & Connolly

#### **COMPANIES**

AAR Corporation  
American Federation of Government Employees  
Aramark Corp.  
Association of Corporate Counsel  
Corizon Health Inc.  
DynCorp International Inc.  
Exxon Mobil Corporation  
Friedman LLP  
ISO New England Inc.  
L-3 Communications Holdings Inc.  
LexisNexis Group  
Lockheed Martin  
New York University  
OSI Systems, Inc.  
Royal Dutch Shell PLC  
SAIC Inc.  
Safran SA  
Service Employees International Union  
Sun Healthcare Group, Inc.  
The Boeing Company  
Twitter Inc.  
Wells Fargo & Co.

#### **GOVERNMENT AGENCIES**

Central Intelligence Agency  
Defense Contract Audit Agency  
Defense Contract Management Agency  
Defense Logistics Agency  
Equal Employment Opportunity Commission  
Federal Acquisition Regulatory Council

U.S. money for family planning from providing, lobbying for or educating about abortions.

### **House OKs Federal Energy, Nuclear Power Rule Changes**

The House of Representatives on Monday pushed through a series of changes to the Federal Energy Regulatory Commission and the Nuclear Regulatory Commission, in bills meant to change how courts treat FERC decisions and give more flexibility to new nuclear plants.

## **ENFORCEMENT**

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### **Feds Join FCA Case Over \$20M Ambulance Kickback Scheme**

Federal prosecutors on Monday intervened in a whistleblower's False Claims Act suit in Texas federal court against two ambulance companies, one of which allegedly paid the other \$20 million in kickbacks to secure a public ambulance services contract.

### **\$5M Settles Nuke Site Cleanup Wage Fraud Claims**

An environmental cleanup company has agreed to pay nearly \$5.3 million to settle allegations it knowingly filed false payment claims with the U.S. Department of Energy and did not comply with the internal audit requirements in the company's federal nuclear remediation contract.

## **LITIGATION**

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### **Justices Won't Hear Convictions Of NYC CityTime Fraudsters**

The U.S. Supreme Court on Monday refused to review the convictions of three men who were ordered to spend 20 years behind bars over a \$100 million fraud and kickback scheme related to New York City's scandal-plagued payroll modernization project known as CityTime.

### **Justices Won't Hear Worker Claims Barred By Ch. 7 Omission**

Federal Energy Regulatory Commission  
Government Accountability Office  
Internal Revenue Service  
National Aeronautics and Space Administration  
New York Attorney General's Office  
Nuclear Regulatory Commission  
Seneca Nation of Indians  
U.S. Agency for International Development  
U.S. Air Force  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of State  
U.S. Navy  
U.S. Office of Personnel Management  
U.S. Supreme Court

The U.S. Supreme Court on Monday refused to review a D.C. Circuit decision that said a NASA contract worker doomed her own discrimination allegations against Honeywell and other companies when she omitted the case from her Chapter 7 bankruptcy filings.

### **Justices Won't Hear Fla. Health Care Worker's FCA Appeal**

The U.S. Supreme Court on Monday declined to consider an appeal of an Eleventh Circuit decision affirming dismissal of a former employee's False Claims Act suit alleging Medicare fraud by Florida health care provider Sun Healthcare Group Inc.

### **OSI Settles Investor Suit Over TSA Nude Body Scanner Issues**

A California federal judge on Monday approved OSI Systems Inc.'s deal imposing new corporate governance controls and paying \$1.6 million in attorneys' fees to end a shareholder suit alleging the company covered up the problems caused when its airport body scanners showed passengers in the nude.

### **Ex-Harrisburg Mayor Cops To Receiving Stolen City Artifacts**

Stephen Reed, the former mayor of Pennsylvania's capital city, short-circuited the criminal trial he was set to begin facing Monday as he agreed to plead guilty on charges that he stole a set of artifacts that the city had purchased for a never-realized museum.

### **Fla. Heart Doctor's FCA Settlement OK'd By Bankruptcy Judge**

A Florida bankruptcy judge has approved a multimillion-dollar settlement that a Florida heart surgeon reached to resolve a False Claims Act suit against him, saying he found it to be in the best interests of the estate and all creditors.

### **Sandy Contractor Allowed To Argue It Had To Ditch Project**

A New Jersey federal judge refused on Friday to nix defenses employed against a contract breach suit over called-off reconstruction and rehabilitation work performed following Superstorm Sandy, ruling that a jury could decide the contractor faced an "impossible" situation that forced it to cancel the project.

#### **4th Circ. Won't Free Construction Co. From Arbitration Awards**

A Fourth Circuit panel on Monday affirmed an arbitrator's grant of four awards covering union grievances with a U.S. Army janitorial services contractor but denied the union fees, finding in a published decision that the arbitrator's findings were based on soundly reasoned interpretations of a collective bargaining agreement.

#### **Nigeria's Oil Co. Says Suit Over \$1.8B Award Must Be Tossed**

Nigeria's state-owned oil company asked a New York court on Friday to scrap a bid by subsidiaries of Exxon Mobil Corp. and Royal Dutch Shell PLC to confirm a \$1.8 billion arbitral award that was set aside in Nigeria, saying the companies can't show the court has jurisdiction.

### **CONTRACTS**

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#### **ASBCA Mostly Denies Appeal Over Navy Clawback Claim**

The Armed Services Board of Contract Appeals has mostly denied a Navy research and development contractor's appeal alleging it was unfairly treated as part of a clawback claim for unsupported costs, over a dissent claiming the decision wrongly lets the Pentagon off the hook.

#### **ASBCA Stays Iraq Food Contract Dispute For Criminal Case**

The Armed Services Board of Contract Appeals has halted a \$4.6 million appeal filed by a Kuwaiti logistics company alleging it was owed interest for slow payments under a massive Iraq

War food supply deal to allow a related criminal fraud case to play out.

### **ASBCA Won't Award Delay Costs From Mandatory Bonds**

The Armed Services Board of Contract Appeals has denied K-Con Inc.'s \$116,336 demand over delays caused by bond requirements added for two projects K-Con was awarded, finding the bonds were required by law regardless of the requirements for the project contracts themselves.

## **LEGAL INDUSTRY**

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### **These Law School Grads See Biggest Paydays**

Recent Cornell Law School graduates earn the highest average salary in the nation among their peers at more than \$183,000, beating out a number of other big names, a study released Monday found.

### **Law Firm Leaders Are Optimistic About 2017, Report Says**

Law firm leaders remain optimistic about their firms' financial futures, despite the industry's modest growth numbers in billable hours logged and net income last year, according to a new report by Wells Fargo Private Bank's Legal Specialty Group.

### **Legal Dept. Operations Pros Prioritize Financial Metrics**

Legal operations professionals tasked with quantifying corporate legal departments' budgets, efficiency and effectiveness have a full plate, tracking numerous metrics they deem important with little automation to lessen their load, according to recently released survey results.

### **Jury Selection Kicks Off In Dewey Retrial**

Jury selection in the retrial of two former top executives of failed law firm Dewey & LeBoeuf

LLP began Monday, and the judge overseeing the marathon case laid out some ground rules for the defense in its questioning of the star cooperating witness in the case, in light of his sweetened plea deal.

### **Ethics Group Backs High Court Look At Nonresident Atty Law**

A bar group representing legal ethics and professional responsibility specialists has joined the call for a U.S. Supreme Court review of a challenge to a New York law requiring nonresident lawyers wishing to practice in the state to maintain a physical office there.

### **Call For Participants: Law360's 2017 Editorial Advisory Boards**

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**From:** Government Contracts Law360  
**Sent:** Friday, January 27, 2017 3:39 AM  
**To:** Rep07  
**Subject:** 9th Circ. Kills Emergency Request To Halt LA Subway Contract



Friday, January 27, 2017



## TOP NEWS

### **9th Circ. Kills Emergency Request To Halt LA Subway Contract**

The Ninth Circuit late Wednesday denied emergency requests from the Beverly Hills Unified School District to prevent the Los Angeles Metropolitan Transportation Authority from awarding a \$1.4 billion design-build contract for a subway extension project on Thursday.

### **Fire Safety Co. Reaches \$5M Settlement For Gov't FCA Claims**

The U.S. government on Thursday filed a \$5 million settlement agreement in its False Claims Act suit alleging that Monaco Enterprises overbilled military bases and other government buildings for installation of fire safety equipment.

### **CBCA Rejects \$69M DOE Contract Adjustment Claim**

The Civilian Board of Contract Appeals on Wednesday rejected a nuclear waste cleanup contractor's bid for an at least \$68.7 million contract adjustment on a U.S. Department of Energy deal, saying it lacked jurisdiction because the contractor hadn't filed a certified claim for the money before appealing.

## LAW FIRMS

Allen & Overy  
Bernstein Litowitz  
Bingham McCutchen  
Brown Goldstein  
Cohelan Khoury  
Cotman IP  
Crowell & Moring  
Dentons  
Dewey & LeBoeuf  
Drinker Biddle  
Evans Craven  
Evans Petree  
Gardy & Notis  
Gibson Dunn  
Grant & Eisenhofer  
Gupta Wessler  
Jones Day  
Kasowitz Benson  
Marino Tortorella  
McGuireWoods  
Morgan Lewis  
Motley Rice  
Nelson Mullins  
Nixon Peabody  
Offit Kurman



### **Raytheon Won't Pursue \$16.3B Air Force Trainer Plane Deal**

Raytheon Co. has withdrawn from a proposed joint venture to compete for the U.S. Air Force's pending \$16.3 billion T-X training aircraft contract after failing to reach an appropriate teaming deal with Leonardo SpA, the companies announced Wednesday.

## **POLICY & REGULATION**

### **NY Wins \$170M In Broadband Funds Turned Down By Verizon**

The Federal Communications Commission on Thursday signed off on \$170 million in additional rural broadband development funding for New York, voting in favor of the state's request to recapture Connect America Fund money rejected by Verizon.

### **NH Pols Push FCC For Broadband Funding In Rural Areas**

New Hampshire's congressional delegation asked the new head of the Federal Communications Commission Wednesday to move forward with a second phase of funding to improve mobile voice and internet service in areas without it.

## **ENFORCEMENT**

### **New Defendant Indicted In Alleged Army Bribery Scheme**

A former U.S. Army official has been indicted for allegedly accepting bribes to steer business to a subcontractor under a \$19.2 billion technology services contract, after her husband and the subcontracting business owner were previously indicted, the U.S. Department of Justice announced Wednesday.

### **Ill. Transport Co. Owner Gets 5 Years For Medicaid Fraud**

An Illinois federal judge has sentenced the owner of a medical transport company to five years in prison for fraudulently overbilling

PilieroMazza PLLC

Pillsbury Winthrop

Remy Moose

Sanford Heisler

Sedgwick LLP

Silverman Thompson

Simpson Thacher

Venable LLP

Wilk Auslander

## **COMPANIES**

Aetna Inc.

America Fujikura Ltd.

Apache Corporation

BAE Systems

Bank of America Corporation

Burford Capital LLC

Centerra Group LLC

Chevron Corporation

Dell Inc.

Deutsche Bank AG

E. I. du Pont de Nemours and Company (DuPont)

Energy Transfer Partners, L.P.

Finisar Corporation

Friedman LLP

G4S

Gawker Media LLC

General Dynamics Corporation

Goldman Sachs Group Inc.

Humana Inc.

Litigation Insights Inc.

Lockheed Martin

National Rifle Association of America

Northrop Grumman Corporation

Raytheon Company

Regency Energy Partners LP

Schlumberger Limited

Illinois' Medicaid program by \$4.7 million, the U.S. Department of Justice said Wednesday.

## LITIGATION

### **Army Contractor's \$52M Contract Challenge Too Late: Judge**

A U.S. Court of Federal Claims judge ruled that a would-be U.S. Army medical services contractor should have raised its concerns about being nudged up in price while it was still vying for an up to \$52 million project, in a decision rejecting the bid protest made public Wednesday.

### **Air Force Station Firefighters Battle Doubled Work Hours**

A union representing Cape Canaveral Air Force Station firefighters and other emergency responders hit their government contractor employer with an arbitration complaint in Florida federal court, accusing Centerra Group LLC of doubling their on-duty hours in violation of a collective bargaining agreement.

## EXPERT ANALYSIS

### **New Forum For Gov't Contract Claims May Be On The Horizon**

A D.C. federal court released a memorandum opinion and order this month in *Yee v. Jewell* that could be the first step in allowing contract claims against the federal government that are not seeking monetary damages to be filed in district court, say Paul Debolt and Christopher Griesedieck of Venable LLP.

### **Late Innings: Top Enviro Decisions From Final Days Of 2016**

December 2016 saw several major environmental decisions made by federal and state courts. Anthony Cavender of Pillsbury Winthrop Shaw Pittman LLP offers insight into these important cases and the impact they could have in 2017 and beyond.

The Boeing Company  
U.S. Chamber of Commerce  
Verizon Communications  
Wells Fargo & Co.

## GOVERNMENT AGENCIES

Bureau of Safety and  
Environmental Enforcement  
Federal Communications  
Commission  
Federal Transit Administration  
Fish and Wildlife Service  
Government Accountability Office  
International Monetary Fund  
Los Angeles County Metropolitan  
Transportation Authority  
Oak Ridge National Laboratory  
Occupational Safety and Health  
Administration  
Occupational Safety and Health  
Review Commission  
Office of the Comptroller of the  
Currency  
Securities and Exchange  
Commission  
U.S. Air Force  
U.S. Army  
U.S. Attorney's Office  
U.S. Civilian Board of Contract  
Appeals  
U.S. Coast Guard  
U.S. Department of Energy  
U.S. Department of Justice  
U.S. Department of the Interior  
U.S. Environmental Protection  
Agency  
U.S. General Services  
Administration  
U.S. Supreme Court

## **6 Ways To Get More From A Limited Budget For Trial Graphics**

With so many possibilities and variables, it can be difficult to adhere to a strict graphics budget when preparing effective visuals for trial. There are several things you can do to limit the cost of your visuals without sacrificing quality, says Marti Martin Robinson of Litigation Insights Inc.

### **LEGAL INDUSTRY**

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## **Why Rainmakers Are Helping Rich Firms Get Richer**

Rainmakers at weaker law firms are making their way to stronger and more profitable firms, according to a recent report by Major Lindsey & Africa, a trend that experts say is being triggered by more than simply money.

## **Calif. Legal Funding Rule Won't Shed More Light On Deals**

While proponents of transparency in the litigation funding field are cheering a California federal court's new disclosure rule for class action cases, experts warned they shouldn't expect much change in a district where judges already have high expectations when it comes to knowing lawyers' financial arrangements.

## **Law360's Weekly Verdict: Legal Lions & Lambs**

Three plaintiffs law firms grabbed the top spot on this week's legal lions list after an appellate court reinstated their client's objections to an \$11.2 billion merger between two energy companies while Jones Day and Crowell & Moring LLP landed on the legal lambs list when a federal judge blocked a \$37 billion proposed merger between their respective clients, Aetna and Humana.

## **Nashville Federal Judge Resigns, Headed To Private Firm**

The chief federal judge in Nashville is leaving the bench to join a civil rights and public interest law firm, leaving President Donald Trump with a

second a Tennessee federal judgeship to appoint.

### **Allen & Overy Revenue Rises, Partner Pay Remains The Same**

Revenues at Allen & Overy LLP rose 2.3 percent to £1.31 billion (\$1.65 billion) in fiscal year 2015-2016, but average profit per full partner remained virtually unchanged at £1.2 million, due in part to a rise in staffing costs, a new report filed in the U.K. showed.

### **With 23 Sedgwick Attys, Drinker Biddle Enters Texas Market**

Drinker Biddle & Reath LLP has made its entrance into the Texas market, the firm announced on Thursday, as it brought onboard 23 attorneys who formerly worked for Sedgwick LLP in Dallas — bringing the total number of departing Sedgwick attorneys to 40 in two days.

### **Call For Participants: Law360's 2017 Editorial Advisory Boards**

Law360 is looking for avid readers of its publications to serve as members on its 2017 editorial advisory boards.

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**From:** Leonard Gilroy  
**Sent:** Monday, January 30, 2017 9:09 AM  
**To:** Rep07  
**Subject:** Pension Reform News - January 2017 - Reason Foundation

To view this email as a web page, go [here](#).



**Issue No. 33 - January 2017**  
**Reason Foundation**

This newsletter from Reason Foundation's Pension Integrity Project highlights articles, research, opinion, and other information related to public pension challenges and reform efforts across the nation. You can find previous editions [here](#).

**In This Issue:**

**Articles, Research & Spotlights**

- [How CalPERS' Lowered Investment Return Assumption Impacts Taxpayers](#)
- [Court Upholds California's Ban on Airtime Purchases](#)
- [New Reports Examine Omaha, Lincoln Pension Liabilities and Risks](#)
- [Simulation Models Illuminate Risks Faced by Public Pension Plans](#)
- [The Role of Governance in the Dallas Police and Fire Pension Crisis](#)

**Quotable Quotes on Pension Reform**

**Contact the Pension Reform Help Desk**

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**Articles, Research & Spotlights**

**How CalPERS' Lowered Investment Return Assumption Impacts Taxpayers**

The board of the California Public Employees Retirement System (CalPERS) sent shockwaves through the Golden State last month when it approved lowering its investment returns assumption from 7.5% to 7.0% over the coming years, a move that revealed the pension plan is billions more in debt than was previously recognized. In the short term, this change is going to mean increased pension contributions for the state and most local governments, which could potentially impact taxpayers through service cuts or tax increases. But as Reason's Leonard Gilroy writes in a recent *Orange County Register* column, there is a silver lining for taxpayers in the long term.

» [FULL ARTICLE](#)

» [return to top](#)

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### **Public Workers Can Get Pensions Only for Time They Actually Worked, Court Rules**

A California appellate court upheld the provisions of a state pension reform law enacted in 2011 that eliminated so-called "airtime purchases," where public workers were able to boost their pensions by purchasing an additional five years of service time without having to actually work for those years. Taken together with a separate ruling last year upholding Marin County's elimination of pension spiking, Reason.com reporter Eric Boehm writes that the new ruling can be seen as part of a developing trend of courts taking a skeptical look at the so-called "California Rule."

» [FULL ARTICLE](#)

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### **New Reports Examine Omaha, Lincoln Pension Liabilities and Risks**

Nebraska's municipalities are somewhat of an outlier nationally as most cities and counties across the state offer either a cash balance plan or defined contribution plan to public sector workers. Two striking exceptions to this are the cities of Omaha and Lincoln, each of which offers defined benefit retirement plans for public safety workers. Omaha runs a defined benefit plan for its civilian employees too (though new hires for the next few years are being offered a cash balance plan as a part of a collective bargaining agreement).

Unfortunately, Omaha and Lincoln are not exceptions when it comes to the accumulation of unfunded pension liabilities. Combined, the two cities report about \$920 million in unfunded liabilities—but, using more realistic assumptions, they are likely facing around \$2.2 billion in pension debt. This is one of the findings from two policy studies that Reason co-published this month with the Nebraska-based Platte Institute. Using actuarial analysis, the Lincoln report also shows that unfunded liabilities in the city's public safety pension fund are likely to quadruple over the next 20 years if there are no changes to plan assumptions and recent patterns persist. The Omaha report also includes a forecast that shows within the next two decades the city will probably be paying more than 50 cents for every dollar in salary to cover increasing unfunded liability amortization payments.

» [STUDY: Pension Debt: The Billion Dollar Problem Still Threatening Omaha](#)

» [STUDY: Pension Debt: The Still Unsolved Problem Threatening Lincoln](#)

» [return to top](#)

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### **Simulation Models Illuminate Risks Faced by Public Pension Plans**

Last year, the Rockefeller Institute of Government released a paper showing how underfunding risks are significantly increased through funding practices commonly employed by public pension plans, such as high discount rates and long open amortization periods. Rockefeller is back with a new report that, according to Reason's Truong Bui, helps answer how investment risks translate to volatility in funded ratios and contribution rates, and how specific assumed return rates and investment practices are related to this process of investment risk and volatility.

» [FULL ARTICLE](#)

» [return to top](#)

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### **The Role of Governance in the Dallas Police and Fire Pension Crisis**

There are several factors influencing the declining solvency of the Dallas Police & Fire Pension System (DPFP), including risky investments, generous DROP returns, and large lump-sum withdrawals. Further complicating the situation,

Dallas Mayor Mike Rawlings recently requested an investigation of potential unspecified criminal activities conducted by previous DPFP administrators. In a new blog post, Reason's Anil Niraula writes that the actual causes behind the plan's misfortunes apparently go far deeper than any possible past criminality and point directly to the way the retirement system is governed.

» [FULL BLOG POST](#)

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## Quotable Quotes on Pension Reform

"In an overall portfolio context, the return for a simple 60% world equity and 40% U.S. aggregate bond portfolio [in 2017] is expected to be in the neighborhood of 5.5% to 6.0%, roughly 75 basis points below our 2016 assumptions. Volatility forecasts are also marginally higher."

—Anne Lester, head of retirement solutions for J.P. Morgan's global investment management solutions group, quoted in John Manganaro, "[Long-Term Return Assumptions Reduced Again for 2017](#)," Plansponsor.com, January 10, 2017.

"All models developed in 2016 indicated a likelihood of 35 percent or less of actual long-term future average returns meeting or exceeding 7.6 percent."

—Florida Department of Management Services' annual report on the financial status of the state pension system (which lowered its assumed rate of return to 7.6 percent in October 2016), quoted in News Service of Florida, "[Projected pension returns could be too rosy, report says](#)," *Orlando Sentinel*, January 5, 2017.

"It was an unsustainable feature. [...] What they turned it into was an investment strategy and guaranteed themselves a return that is unheard of."

—Dallas, TX City Manager A.C. Gonzalez on the Dallas Police & Fire Pension System's historical policy of guaranteeing 8-10% annual interest on the balances in individuals' deferred retirement option plans (DROP), quoted in Tanya Eiserer, "[Dallas Police and Fire pension members may have to pay back funds](#)," WFAA.com, January 5, 2017.

"We're not on the brink of running out of money. But what we are is at a much



higher risk profile than we're comfortable with. That's not just a risk for members. That's a risk for employers, that's a risk for taxpayers, that's a risk for Colorado communities."

—Greg Smith, Colorado Public Employee Retirement Association executive director, quoted in, Brian Eason, "PERA at risk of insolvency if another recession comes, director says," *The Denver Post*, January 20, 2017.

"Providing DB benefits is expensive, and any time you backload pay (for you or someone else), it is tempting to not put enough money aside. The combination of high cost and bad incentives is what killed the pension plan. Or, it was ERISA, which forced pension plans to account for the cost and fund pensions properly. It is telling that the only industry where [pensions] are still common is the one not subject to ERISA, state and municipalities. Don't blame the 401(k) for the fact you don't have a DB plan!

And DB plans are risky. Risk is one reason why they are so expensive for employers. Moving a stream of income from today into the future is expensive to insure."

—Allison Schrager, "If liking 401(k) accounts is wrong, I don't want to be right," Allison's Ode to the Second Moment (e-newsletter), January 9, 2017.

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## Contact the Pension Reform Help Desk

Reason Foundation's Pension Reform Help Desk provides information and technical resources for those wishing to pursue pension reform in their states, counties and cities. Feel free to contact the Reason Pension Reform Help Desk by e-mail at [pensionhelpdesk@reason.org](mailto:pensionhelpdesk@reason.org).

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*Follow the discussion on pensions and other governmental reforms at [Reason Foundation's website](#) or on Twitter ([@ReasonReform](#)). As we continually strive to*

*improve the publication, please feel free to send your questions, comments and suggestions to [leonard.gilroy@reason.org](mailto:leonard.gilroy@reason.org).*

Leonard Gilroy  
Senior Managing Director, Pension Integrity Project  
Reason Foundation

Anthony Randazzo  
Managing Director, Pension Integrity Project  
Reason Foundation

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**From:** NCSL TODAY  
**Sent:** Thursday, February 9, 2017 12:02 PM  
**To:** Rep07  
**Subject:** States see favorable conditions for gas tax hike

NCSL Today | [Manage your subscription](#)



## TOP NEWS Feb. 9, 2017

### States see favorable conditions for gas tax hike

*Reuters*

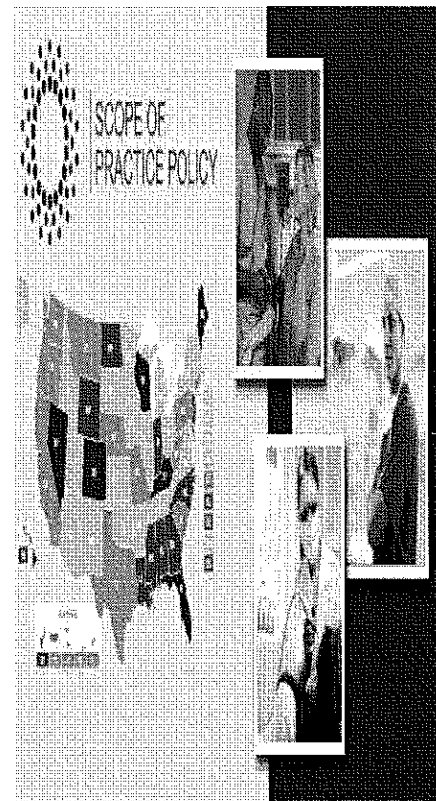
States where gasoline taxes have not risen in decades are now discussing an increase and conditions might be ripe for the proposed hikes to win approval in state legislatures, tax experts said this week. **NCSL's Kevin Pula** quoted.

### North Carolina judges suspend limits on governor's power

*The New York Times*

A three-judge state court panel in North Carolina on Tuesday held up part of a new Republican-backed law that strips important power from the newly elected Democratic governor.

### Legislators question Ohio governor's budget



FEATURED

*The Columbus Dispatch*

Gov. John Kasich's school-funding proposal, which cuts state aid to rural districts while providing more money for many suburban and urban schools, is getting a mixed reaction from legislators.

### **= A Iowa Republicans propose sweeping changes to collective bargaining**

*The Des Moines Register*

Republican lawmakers on Tuesday proposed sweeping changes to Iowa's collective bargaining laws that govern the way 184,000 of the state's teachers, corrections officers and other public sector union workers negotiate for wages, health care and other employment benefits.

### **Congress takes aim at California law mandating retirement plans for low-income workers**

*The Los Angeles Times*

An ambitious California law intended to help create retirement security for low-income workers is in the crosshairs of the Trump-era Congress, which is moving to block the state and others from launching programs to automatically enroll millions of people in IRA-type savings plans.

NCSL Foundation Partnership on Retirement Security.

### **Universal pre-K is hard to find and harder to fund**

*Governing*

The states and cities expanding early education have

### **Visit NCSL's new website devoted to Scope of Practice Policy**

The purpose of this website is to educate state policymakers about scope of practice issues related to nurse practitioners, physician assistants, dental hygienists and dental therapists.



### **Three state legislative officers to serve on FCC advisory board**

### **Energy efficiency and renewables in lower-income homes**

### **New edition of Capitol to Capitol newsletter**

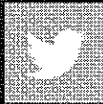
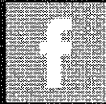


### **Tracking scope of practice around the nation**

Different states have different laws regarding scope of practice for health care providers. States define local solutions to local issues surrounding scope of

wrestled with the question of what qualifies as "universal."  
NCSL research on school readiness and transitions.

practice policy. Tracking what's  
happening around the country is a  
challenge. This website provides  
policymakers with an easy  
reference source.



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7700 East First Place, Denver, CO 80230

**From:** Greater Cleveland Partnership

**Sent:** Monday, February 13, 2017 5:46 PM

**To:** Rep07

**Subject:** Addressing the challenges of recruitment and talent development; CMSD, teachers union reach tentative agreement

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**News**

**Addressing the challenges of recruitment and talent development**

Workforce continues to be an area of challenge for Northeast Ohio employers.

Businesses are seeking skilled workers who are reliable, have on-the-job experience and are committed to growing with the company.

At the same time, college students in the region are learning that in today's competitive market, real-world experience is crucial to landing a job and advancing their careers.

The second annual Cleveland Internship Summit, presented by the Greater Cleveland Partnership (GCP) last week at the Embassy Suites in Independence, helped further the conversation around these workforce challenges and provided best practices in recruitment and talent development.

We thank our sponsors and presenters for their support and involvement in making the event a tremendous success.

### Next steps

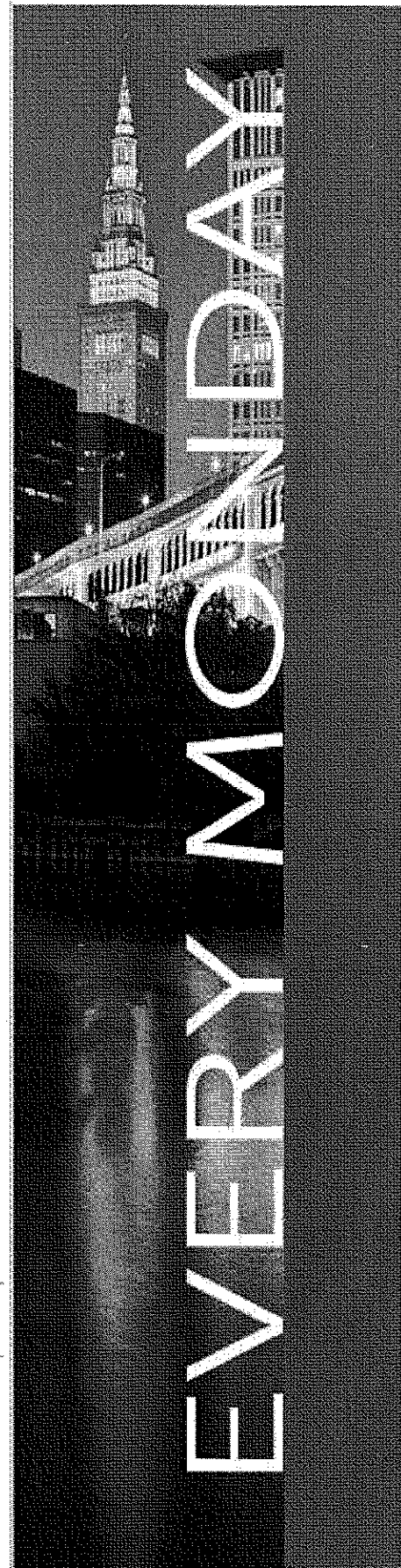
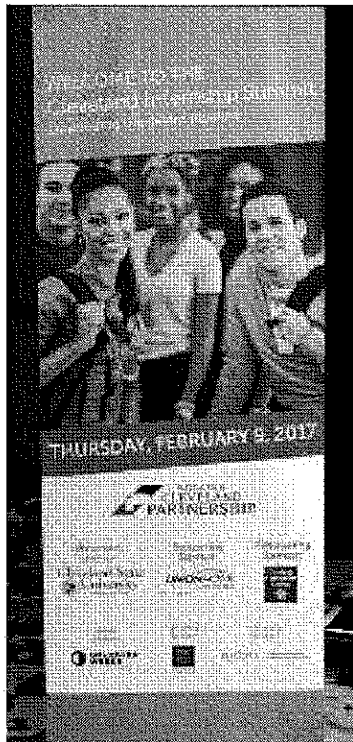
This will include working with employers and educational institutions represented at the summit to add additional resources to GCP Internship Central.

If you are an employer looking for assistance in growing, managing or starting an internship program or need assistance connecting with interns, please contact Angela Finding at [afinding@gcpartnership.com](mailto:afinding@gcpartnership.com).

For those who would like to reference information shared at the Summit, we will be adding the expert presentations and podcasts to our website in the coming weeks.

See stories below for summit highlights.

**CMSD, teachers union reach tentative contract agreement**



The Cleveland Teachers Union (CTU) and the Cleveland Metropolitan School District (CMSD) have reached a Tentative Agreement for a Collective Bargaining Agreement.

An earlier agreement, reached on August 30, 2016, was rejected by union members in September, requiring a return to the bargaining table this year to resume bargaining for a contract both sides could accept.

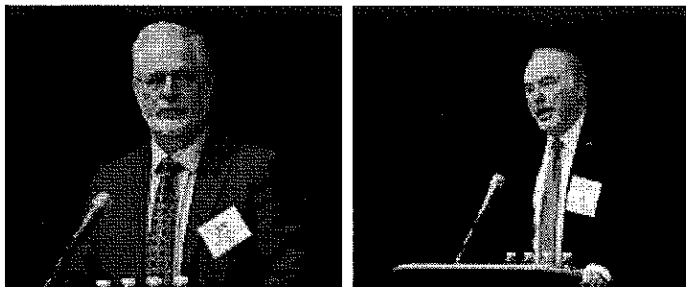
The GCP had urged action that would support the efforts of The Cleveland Plan to transform the delivery and expectations of education in Cleveland's public schools.

"This tentative agreement comes at a critical time when The Cleveland Plan is beginning to reverse decades of decline and deliver measurable improvement," said GCP President and CEO Joe Roman.

Once details are available, we will share an assessment of how the agreement furthers the tenants of The Cleveland Plan as supported by the GCP.

[Read more.](#)

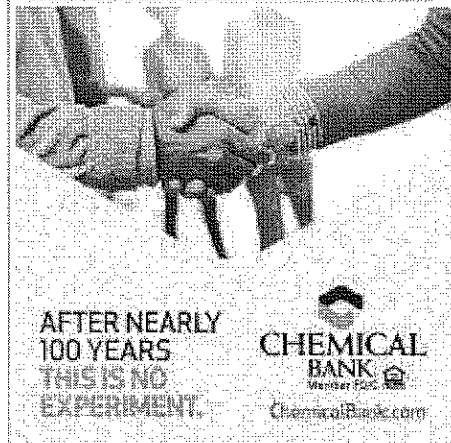
#### Cleveland Internship Summit highlights



GCP President and CEO Joe Roman (photo left) and Dr. Ronald Berkman (photo right), president of Cleveland State University, the Summit's presenting sponsor, welcomed more than 200 attendees from the business and education communities. The program featured:

#### Keynote speaker

#### Sponsored Content



#### Events

#### 02.17.17 "Managing Intercultural Conflict in the Workplace? D

Damaris Patterson Price, a leadership consultant, executive coach and facilitator, will be the presenter.

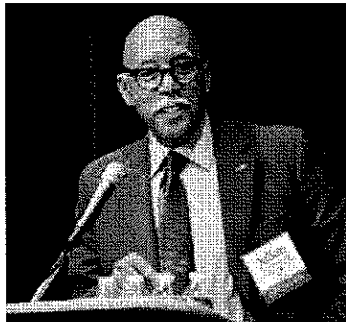


Program objectives include providing the business case for workplace civility as a business driver and why HR managers need to be capable of addressing intercultural conflict.

**Presented by:**



Julian Earls, Ph.D., former director of the NASA Glenn Research Center and executive-in-residence, Cleveland State University, emphasized the importance of home-grown internships to encourage students from the region to build their careers here.



He also encouraged students to use their internship experiences as an opportunity to expand their education, which is "more than classroom and laboratories."

### "Learn from the Pros"



The morning plenary session featured a panel with local employers who discussed how they have engaged interns and other best practices for running a successful program. Our panelists (left to right in photo):

- Laura Mizer, Director of Marketing, Good Karma Brands
- Stephen Love, Program Officer, Cleveland Foundation
- Sygi Berman, Human Capital Acquisition Manager, The Sherwin-Williams Company, moderator
- Terrance Richardson, Program Manager, Louis Stokes Internship Program, Cleveland Clinic

### "From Intern to Anchor"



**COMMISSION**  
ON ECONOMIC INCLUSION

**CLEVELAND**  
**SHRM**



ACCELERATING  
MIDDLE MARKET  
PROGRESS

### 05.11.17 Greater Cleveland Middle-Market Forum

Our annual forum will offer insightful and informative presentations on hot topics that are impacting Northeast Ohio middle-market companies.

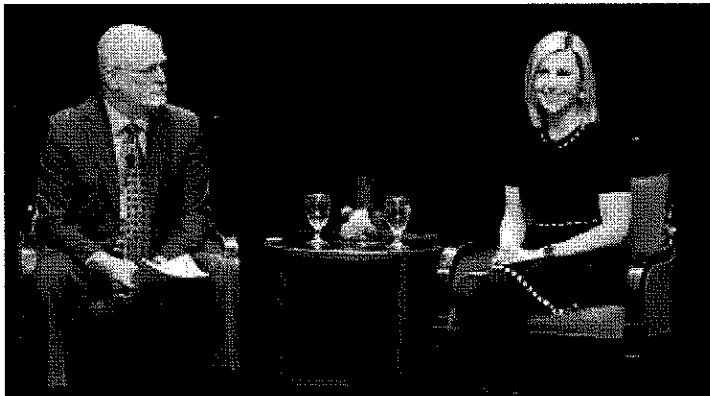
We'll also provide plenty of opportunities to network with more than 200 Northeast Ohio middle-market executives and decisions makers.

### Sponsored by



### 06.07.17 GCP Annual Meeting

Please mark your calendar and plan to join more than 1,100 business and community leaders on Wednesday, June 7 from 4:30



The lunch plenary session was a conversation with Sara Shookman, co-anchor, WKYC Channel 3, led by GCP President Joe Roman.

Sara shared her intern experiences and how they helped launch her career in broadcast journalism.

#### **Breakout sessions for employers**

#### **"The School/Business Partnership: Explaining the Value of All Experiential Learning Opportunities"**



Our panelists (left to right in photo) discussed how educators and businesses are teaming up to create partnerships that provide students with real-world work experiences:

- Katrina Myers, Director, Academies of Cleveland, Cleveland Metropolitan School District, moderator
- Stacy Johnson, Manager, External Education, The MetroHealth System
- Michael Sheppard, Superintendent, Berea Schools
- Jessica Colombi, Executive Director, Career Services, Cleveland State University

to 7:30 p.m. at the Hilton Cleveland Downtown.

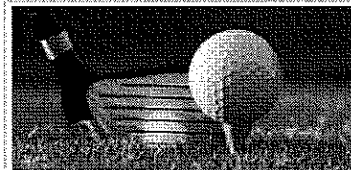
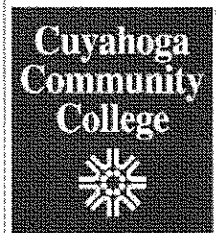
The program will feature an update on our priorities, a preview of the projects and initiatives that we will embark upon as a part of our new strategic plan, and more.

#### **Presenting Sponsor**



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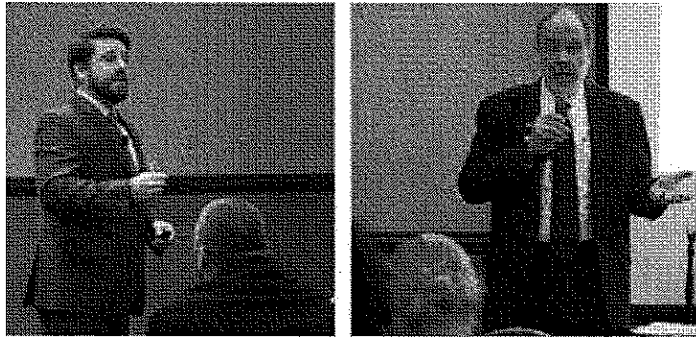
#### **07.24.17 GCP Member Golf Outing**

We're planning a full day from 11 a.m. to 7:30 p.m. that will include lunch, lots of golf and dinner at Kirtland Country Club in Willoughby.

#### **Presenting Sponsor**

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### **"The Legal Aspects of Internships: Legal Issues Employers Should Know" and "Diversity & Inclusion in Internships"**

James McWeeney, attorney, Walter Haverfield LLP (photo left), provided answers to legal questions about internship programs that employers need to know.

Gary Szelagowski, assistant vice president, talent management, Federal Reserve Bank of Cleveland (photo right), discussed how to ensure that your internship program is diverse and how to use your internship program as a tool for sourcing diverse talent.



### **"Career Readiness: Are Today's Students Ready for the Workforce?"**

Attendees at this session heard from representatives of local employers who provided their perspectives on talent development, training, and correcting behaviors in their internship programs.

The panelists are (left to right):

- Amy McMullen, University Relations Lead, The Lincoln Electric Company
- Peter Anagnostos, VP, Marketing, Communications and Community Outreach, MCPc
- Ashley Rivera, Campus Recruiting Manager, Union Home Mortgage

### **03.01.17 Intellectual Property Webinar**

This one-hour webinar, presented by NEOTEC/Northeast Ohio Trade & Economic Consortium, will feature expert patent attorneys who will discuss how to protect your patents and trade secrets, proper use and registration of trademarks, and new developments in trade secrets.

#### **Internal Partners**



**cose**

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#### **Connect With Us!**



**Forward to a Colleague** >>>

- Sandra McKnight, Executive Director, Access, Learning & Success, Cuyahoga Community College, moderator

### Breakout sessions for students

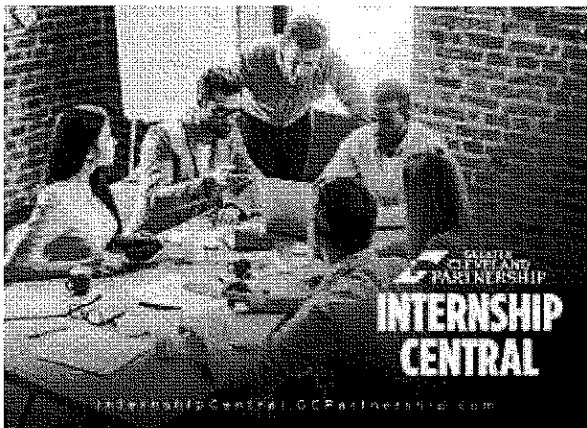


#### "Your Personal Brand" and "The Intern Experience from the Intern's Perspective"

Andy Halco, CEO of Insivia (photo left), provided tips on building a positive personal brand and how to use it to get an employer's attention.

"The Intern Experience" panelists shared tips and experience to help fellow students make the most out of their internship. The panelists are (left to right):

- Angela Finding, Director, Education and Workforce Development, Greater Cleveland Partnership, moderator
- Samuel Braun, Development Associate, Neighborhood Family Practice
- Khalid Ali, Program Coordinator, Neighborhood Leadership Institute
- Allie Dumski, Ohio House of Representatives

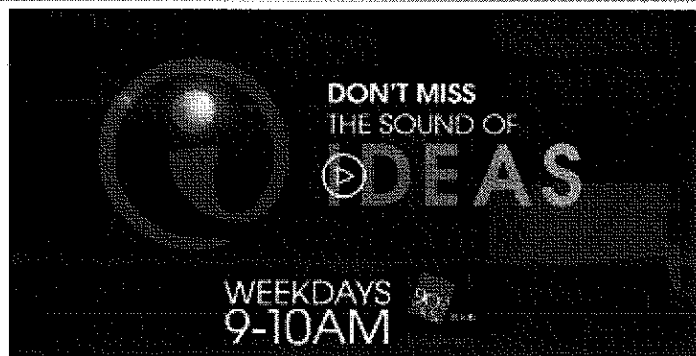


## Where to access internship resources

The Cleveland Internship Summit is one component of the Greater Cleveland Partnership's Internship Central portfolio of resources to assist both employers and students who are trying to manage their internship experiences.

GCP Internship Central was created to be a "one-stop shop" for employers and students who recognize the value of internships and other out-of-school learning experiences but need some aid navigating through the process.

Visit our blog at [InternshipCentral.GCPartnership.com](http://InternshipCentral.GCPartnership.com) where you'll find information on how to start an internship program, manage internships, experiential best practices and much more.



### In case you missed it: Internship Summit media coverage

Prior to the event, "The Sound of Ideas" on 90.3 WCPN featured a segment about the Greater Cleveland Partnership's Internship Central initiative and the Internship Summit with:

- Shana Marbury, Vice President of Strategic Initiatives, Greater Cleveland Partnership
- Jessica Colombi, Director, Career Services, Cleveland State University
- Samuel Braun, Development Associate, Neighborhood Family Practice
- Nneka Maceo, Cleveland State University Graduate, Former Intern

### [Click to listen.](#)

As part of ideastream's "Listening Project," several summit participants were interviewed during the event.

**Click to listen.**



**Input needed on a potential new talent offering for our members**

Talent is one of the largest issues that businesses face. Both attracting and retaining a qualified workforce is a top priority.

One specific piece of the talent equation—dual-career families—is sometimes a challenge to the success of employee relocations to a new market.

The Greater Cleveland Partnership is working to determine if there is value for our members in a potential new service—a Dual Career Network—for dual-career families and “trailing spouses.”

The network would help the spouses/partners of relocated employees with their local job search. Members of the network would host networking events with recruiters from GCP-member companies.

## Join our focus group discussion

The GCP is convening a focus group around the Dual Career Network concept on **Wednesday, February 22** from 8:30 to 10:30 a.m. at the GCP offices, 1240 Huron Road East in Playhouse Square. It is open to our member-company CEOs and/or VPs of human resources, talent or workforce development.

If you are interested in attending, please RSVP to Shana Marbury at [smarbury@gccpartnership.com](mailto:smarbury@gccpartnership.com) or 216.592.2249.

**Read more.**

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## **Emerging leaders wanted for GCP LEAD; nomination deadline extended**

We are accepting nominations of emerging leaders from Greater Cleveland Partnership member companies for the 2017 GCP LEAD Cohort 2. **The deadline for nominations has been extended to Monday, February 27.**

GCP LEAD (Link. Engage. Advocate. Develop.) was created because the GCP recognizes the importance of cultivating our region's future business and community leaders through becoming engaged in the GCP's work.

The GCP LEAD group will be an exclusive cohort of emerging leaders from member companies with at least five years of professional experience and an interest in getting involved in the areas of economic development, education and workforce, advocacy, diversity and inclusion, business development, or physical development.

### **Learn more.**

---

## **Learn strategies to stay ahead of your competition**

How can middle-market companies stay ahead in increasingly fast-paced and global competitive environments?

Please join us on **Thursday, February 23** at our first middle-market forum of 2017 where thought leaders Peter Grimm (photo left) and Beau Oliver (photo right) of Cipher Systems will engage attendees in an insightful discussion on how companies and organizations can incorporate out-of-the-box thinking to better understand their markets, identify opportunities, and drive innovation.



### **Click to read more about them.**

Our program on "Innovation and Competitive Intelligence" will be held from 7:30 to 9 a.m. at the GCP Offices, 1240 Huron Road East in Playhouse Square.

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[Click to register](#)

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**Online Diversity Assessment now available**

The Commission on Economic Inclusion's new online Diversity & Inclusion Organization Assessment can now be accessed for completion.

It is available to all Greater Cleveland Partnership members as a benefit of membership. We encourage you to take advantage of this great opportunity!

Employers who complete the Assessment will receive immediate feedback upon making their final submission, along with suggested resources that can be useful for internal diversity and inclusion strategic planning.

If you have previously completed the survey and have not received your confidential link and password, or if your organization is interested in completing the Assessment for the first time, please contact Scott Harrington at [sharrington@gcpartnership.com](mailto:sharrington@gcpartnership.com) or 216.592.2213.

**Read more.**

*The Commission on Economic Inclusion is a program of the Greater Cleveland Partnership.*





## Apply now for the 2017 Best of Tech Awards

Applications are now open for OHTec's 2017 Best of Tech Awards, which will be presented on Thursday, April 27 as part of 2017 Tech Week.

The awards, which have been presented for the past 11 years, recognize successful companies, innovative products and inspirational leadership.

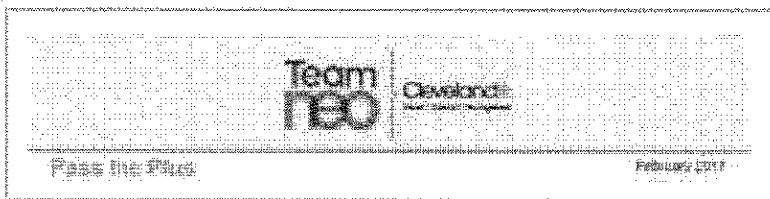
The deadline to complete your application is Friday, March 3. Finalists will be announced on Friday March 24, and winners will be honored at the Best of Tech Awards Dinner on April 27.

[Learn more.](#)

Sponsored by



*OHTec is a program of the Greater Cleveland Partnership.*



## Share the positive: Pass the Plus!

You can read positive news about Cleveland and Northeast Ohio in the monthly "Pass the Plus" e-newsletter.

In this month's issue of "Pass the Plus," read how NASA Glenn's Plum Brook Station in Sandusky is serving as a key testing ground for the space agency's latest aviation experiments and technologies.

[Click to read the newsletter.](#)

[Click to subscribe](#) and start sharing our region's good news with your networks of colleagues, friends and family.

*"Pass the Plus" is a Cleveland Plus/Team NEO free monthly e-newsletter that provides informative news and information related to the many positive developments shaping Northeast Ohio.*

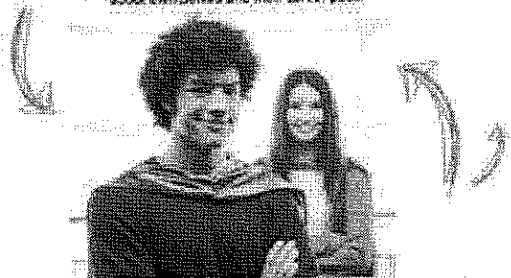
*Cleveland Plus and Team NEO are part of the economic development system that the GCP helped to create and continues to support.*



empowering young people to  
succeed in the 21st century

## JA Career Success Day! Friday, February 24<sup>th</sup>

Junior Achievement is seeking business professionals and community members to help high school freshmen define and refine their interpersonal and employability skills while sharing information about themselves and their career path.



### Business volunteers needed for JA Career Success Day

Junior Achievement (JA) is seeking business professionals and community members to help high school freshmen define and refine their interpersonal and employability skills while sharing information about themselves and their career path.

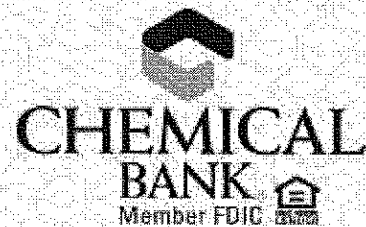
During JA Career Success Day on **Friday, February 24**, volunteers will spend the day in the classroom using interactive lessons provided by JA to prepare students for success in tomorrow's workplace.

There are volunteer opportunities from 8 a.m. to 2:30 p.m. at these Cleveland Metropolitan School District Academies of Cleveland high schools: Garrett Morgan, Jane Addams, Max S. Hayes, Martin Luther King Jr., and Washington Park.

For more information, contact Marc Malleske, JA program coordinator, at [mmalleske@jacleveland.org](mailto:mmalleske@jacleveland.org) or 216.861.8080.

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### Our External Partners



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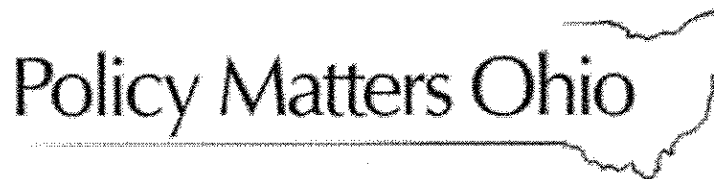
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**From:** Policy Matters Ohio

**Sent:** Thursday, February 16, 2017 2:36 PM

**To:** Rep07

**Subject:** Press statement: Nomination of Acosta for Secretary of Labor a likely improvement



**For immediate release**  
Contact Hannah Halbert  
614.397.6080

## **Nomination of Acosta for Secretary of Labor a likely improvement**

### **Vetting needed, but new nominee appears friendlier to workers**

After the failed nomination of Andrew Puzder for Secretary of Labor, the Trump administration put forward Alexander Acosta, dean of the Florida International University College of Law and former assistant attorney general for the Civil Rights Division under President George W. Bush. Policy Matters Ohio sees this move as a step in the right direction for working people.

"Rigorous vetting is still needed but unlike Puzder, Acosta does not appear to be a nominee bent on dismantling the institution he is set to lead," said Hannah Halbert, researcher with Policy Matters Ohio. "The Department of Labor must be dedicated to welfare and safety of wage-earners. Not their bosses."

Ohioans value worker rights. The state overwhelmingly voted down laws that sought to restrict collective bargaining and voted in support of a state constitutional amendment that increased and indexed the minimum wage. As hearings begin, working people of Ohio will want to know where Acosta stands on these issues. Policy Matters will look for evidence that Acosta will work for safe and healthy workplaces, more and better jobs, and a better life for working people in Ohio and the United States.

[Read press statement online](#)

###

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**From:** Public Policy Law360  
**Sent:** Wednesday, February 22, 2017 5:14 AM  
**To:** Rep07  
**Subject:** New EPA Chief Pledges To Change Regulatory, Legal Practices



PUBLIC POLICY

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Wednesday, February 22, 2017



## TOP NEWS

### **New EPA Chief Pledges To Change Regulatory, Legal Practices**

U.S. Environmental Protection Agency Administrator Scott Pruitt on Tuesday emphasized his desire to work collaboratively with career EPA staff and his intention to depart from regulatory and litigation tactics he said sideline industry and state interests.

### **Incoming Deputy AG Brings High-Profile Criminal Experience**

Incoming Deputy Attorney General Rod Rosenstein has spent 90 percent of his career on federal criminal matters including high-profile government misconduct cases, according to materials he provided a Senate panel on Friday.

### **ABA's Gorsuch Rating Due Out Before Confirmation Hearings**

The American Bar Association will release its laborious evaluation of U.S. Supreme Court nominee Neil Gorsuch before his confirmation

## LAW FIRMS

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Kennyhertz Perry  
Latham & Watkins  
Mauck & Baker  
Mayer Brown

hearings kick off on March 20, handing senators a powerful factor for evaluating whether to promote the Tenth Circuit judge to the nation's top bench.

### **DHS Releases Guidance On Immigration Executive Orders**

The U.S. Department of Homeland Security issued memos Tuesday implementing two executive orders from President Donald Trump related to immigration, with the agency laying out the administration's expanded enforcement targets, calling for more officers and suggesting new policy is coming on expedited removals.

### **Dems Want Trump To Endorse Currency Manipulation Bill**

A trio of House Democrats have asked President Donald Trump to go beyond executive action and create tariffs against foreign currency manipulators.

Analysis

### **Top 4 Groups Lobbying The FCC**

As Federal Communications Commission Chairman Ajit Pai approaches one month into his chairmanship, industry stakeholders have begun lobbying the new FCC, advocating on issues such as how to distribute universal service funds and make way for 5G infrastructure. Here, Law360 looks at the top four groups that have filed ex partes in the last month.

### **Ill. High Court OKs Exception To Untimely Agency Reviews**

The Illinois Supreme Court on Friday ruled that a decision from an administrative agency can be appealed, even if the appeal is late, in instances where the agency violated due process.

### **New Bill Targets Warrantless GPS Tracking, Stingrays**

A bipartisan bill introduced in both houses of Congress on Wednesday would bar the tracking

Morgan Lewis  
Munsch Hardt  
Norton Rose Fulbright  
Perkins Coie  
Ropes & Gray  
Shulman Rogers  
Sidley Austin  
Simmons & Simmons  
Squire Patton Boggs  
Stradley Ronon  
Tucker Law Group  
Weil Gotshal  
Weiner Brodsky

### **COMPANIES**

AT&T Inc.  
American Academy of Pediatrics  
American Bar Association  
American Civil Liberties Union  
American Federation of State,  
County and Municipal Employees  
American Psychological  
Association  
Apple Inc.  
Caterpillar Inc.  
Center for American Progress  
Center for Biological Diversity Inc.  
Delta Air Lines Inc.  
Dow Chemical Co.  
Facebook  
Florida Immigrant Coalition  
GLC Business Services Inc.  
General Electric Company  
Google Inc.  
Koch Industries Inc.  
Microsoft Corporation  
Murray Energy Corp.  
National Immigration Law Center  
New York Times Co.

of a person using GPS technology without permission or a warrant — particularly law enforcement use of stingray technology that tricks phones into transmitting location information to a third party.

## **BANKING & SECURITIES**

### **Kan. Stock Promoter Says 10th Circ. Order Blocks SEC Case**

A stock promoter filed a lawsuit in Kansas federal court on Tuesday seeking to halt a U.S. Securities and Exchange Commission administrative proceeding against him, saying the judge overseeing his case has already been deemed to violate the U.S. Constitution by the Tenth Circuit.

## **ENERGY & ENVIRONMENTAL**

### **Virginia's Uranium Mining Ban Upheld By Fourth Circuit**

The Fourth Circuit on Friday upheld a lower court's dismissal of a uranium company's lawsuit seeking to overturn a Virginia law banning uranium mining, deciding that there is nothing in the federal Atomic Energy Act that preempts the state from establishing such a moratorium.

### **GOP Reps Ask EPA To Extend Mining Rule Comment Period**

A trio of Republican committee chairmen in the House asked the U.S. Environmental Protection Agency on Friday to extend the comment period on a proposed rule that would require participants in the hardrock mining industry to show they can cover the costs of environmental hazards stemming from their operations.

### **Timber Co. Fights Obama Expansion Of Oregon Monument**

A timber company on Friday challenged former President Barack Obama's proclamation that expanded the Cascade-Siskiyou National Monument, arguing in Oregon federal court that

North American Electric Reliability Corp.

PHH Corporation

Planned Parenthood Federation

Raytheon Company

Tax Foundation

Texas Medical Association

Texas Rangers

The Boeing Company

Twitter Inc.

United States Telecom Association

Zeughauser Group LLC

## **GOVERNMENT AGENCIES**

Bureau of Land Management

Central Intelligence Agency

Consumer Financial Protection Bureau

Department of Commerce

European Commission

Executive Office of the President

Federal Bureau of Investigation

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Energy Regulatory Commission

Federal Housing Finance Agency

Federal Reserve System

Federal Trade Commission

Financial Crimes Enforcement Network

Illinois Supreme Court

Immigration and Customs Enforcement

Lac du Flambeau Band of Lake Superior Chippewa Indians

National Aeronautics and Space Administration

National Labor Relations Board



the protectionist move conflicted with a congressional decision mandating that some of the land be used for logging.

### **EPA Can't Second-Guess Texas Ozone Plan, 5th Circ. Told**

The U.S. Environmental Protection Agency wrongly rejected Texas' plans to address cross-state emissions in meeting 2008 national ozone standards and trampled over the Lone Star State's authority under the Clean Air Act in imposing a federal substitute, Texas officials told the Fifth Circuit on Friday.

### **EU Nearing Decision On Extending China Solar Panel Duties**

The European Commission is close to drawing its final conclusion regarding extended duties on Chinese solar panels, a commission representative told Law360 on Tuesday.

### **Enviros Say USFS Ignored Logging Project's Owl Impacts**

Environmentalists have asked a California federal judge to stop a U.S. Forest Service-approved logging operation they say harms critical California spotted owl habitat in the state's Tahoe National Forest.

### **EPA Urges 4th Circ. To Undo Coal Jobs Analysis Order**

The U.S. Environmental Protection Agency on Tuesday asked the Fourth Circuit to overturn a federal judge's decision that compels the agency to evaluate the consequences of its air pollution regulations on jobs, arguing there was no Clean Air Act violation that warranted such a remedy.

## **HEALTH & LIFE SCIENCES**

### **Texas Justices Let Challenge Of Chiropractic Rules Proceed**

A Texas appellate court on Friday gave the Texas Association of Acupuncture and Oriental Medicine another shot at challenging the validity

National Security Agency  
Nuclear Regulatory Commission  
Office of the Comptroller of the Currency  
Securities and Exchange Commission  
Texas Health and Human Services Commission  
Texas Legislature  
U.S. Air Force  
U.S. Customs and Border Protection  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Forest Service  
U.S. General Services Administration  
U.S. Senate  
U.S. Supreme Court

of two provisions in the Texas Board of Chiropractic Examiners administrative rules that it believes are invalid because they allow chiropractors to practice acupuncture.

### **HealthCare.gov Deletions 'Trumpcare By Sabotage,' Dems Say**

Leading Democrats from the U.S. Senate committees on Health, Education, Labor and Pensions and Finance on Friday demanded answers from the U.S. Department of Health and Human Services' newly confirmed secretary about why a breakdown of the Affordable Care Act's benefits was removed from HealthCare.gov.

## **MEDIA & ENTERTAINMENT**

### **Philly Controller Escapes 'Slush Fund' Slander Suit**

A Pennsylvania state court judge on Tuesday threw out a lawsuit accusing Philadelphia's city controller of defaming a former city official with remarks about a so-called slush fund in which money primarily from the Philadelphia Marathon was used to pay for pet projects of former Mayor Michael Nutter.

## **INSURANCE**

### **Ill. Gay Conversion Therapy Ban Exempts Pastors, Judge Says**

A coalition of Illinois pastors is claiming victory in its suit over a state law banning conversion therapy for gay youth, saying even though a federal judge tossed the suit on Wednesday, the ruling more or less amounts to what they'd sought in the first place: an order declaring pastors exempt from the law.

## **EMPLOYMENT**

### **August NLRB Order Restored Discipline Analysis, GC Says**

The National Labor Relations Board general counsel's office has penned an advice memo

clarifying the precedent set by an August board decision, saying that businesses must bargain with unions over certain types of serious discipline between the time a bargaining unit is certified and a bargaining agreement is signed.

### **Iowa Union Sues To Block Collective Bargaining Law**

A union representing public sector employees in Iowa filed suit Monday challenging the state's sweeping new law curtailing collective bargaining rights for most public workers, calling it a "draconian" measure that would make it harder for state workers to receive or maintain union representation.

## **PRIVACY & CONSUMER PROTECTION**

### **EU Regulators Lay Out Plan For Tackling Privacy Shield Rows**

Europe's data protection regulators on Monday rolled out a plan for addressing consumer complaints that arise under the new Privacy Shield pact that allows multinationals to transfer data between the EU and U.S., saying at least three authorities would be charged with weighing in on disputes within 60 days.

### **Mortgage Servicer Rips Efforts To Intervene In CFPB Review**

A mortgage servicer that convinced a D.C. Circuit panel that the Consumer Financial Protection Bureau's structure is unconstitutional asked the full court on Friday to reject a bid by advocacy groups, state attorneys general and members of Congress to let them fight the suit if President Donald Trump's Justice Department stops defending against it.

### **Trump Taps Lt. Gen. McMaster As National Security Adviser**

President Donald Trump announced Monday that he has selected Army Lt. Gen. H.R. McMaster as national security adviser, a post that was left empty after Michael Flynn resigned

amid fallout from his dealings with Russian officials.

## GOVERNMENT CONTRACTS

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### **Air Force Leaders Urge Congress To Pass Spending Bill**

The U.S. Air Force's top civilian and military leaders urged Congress on Monday to pass a defense appropriations bill before the end of fiscal year 2017, saying the use of another continuing resolution through to the end of the year would significantly hurt operational readiness and limit needed improvements.

### **Texas Barred From Cutting Planned Parenthood Funding**

A federal judge on Tuesday barred the state of Texas from pulling Medicaid funds from Planned Parenthood-affiliated clinics, saying the secretly recorded videos the Lone Star State held up as evidence that the clinics were profiting from selling aborted fetal tissue did not actually support the state's claims.

### **GSA Watchdog Criticizes Tech Unit's IT Security Compliance**

A U.S. General Services Administration watchdog on Tuesday criticized the GSA's "startup" unit aimed at improving federal technology, 18F, saying it routinely ignored GSA security requirements for both the procurement and operation of information technology systems.

## TAX

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### **CEOs Mobilize To Back Border Adjustment Tax**

Chief executives from 16 companies wrote congressional leaders Tuesday in praise of a GOP proposal to dramatically change the U.S. corporate tax code, urging the lawmakers to act boldly in rewriting it.

## IMMIGRATION

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### **Senator Questions Border Electronics Searches**

A U.S. senator on Monday questioned the government's authority to collect information from people detained at U.S. borders in response to media reports that U.S. Customs and Border Protection officers may be asking for cell phone passcodes and social media handles.

### **Calif. Judge Lets Halt On Travel Ban For Visa Holders Lapse**

A California federal judge on Tuesday declined to extend a temporary restraining order blocking parts of President Donald Trump's immigration ban, saying the TRO's goals had been met and new relief sought by Yemeni immigrants in an amended suit would allow those without visas to "cut in line."

### **Miami-Dade Nixes Protections For Undocumented Immigrants**

The Miami-Dade Commission on Friday voted to uphold an order by the county's mayor eliminating protections from U.S. Customs and Immigration Enforcement detainer requests for undocumented immigrants, despite hundreds of people showing up to express their concern and disapproval.

### **NATIVE AMERICAN**

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### **Ex-Tribal Employees' Gender Bias Claims Tossed**

A Wisconsin federal judge on Tuesday tossed suits alleging gender bias and retaliation from two former employees of the Lac du Flambeau Band of Lake Superior Chippewa Indians, ruling that they failed to state a claim and the tribe had sovereign immunity against the suits.

### **TELECOMMUNICATIONS**

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### **FCC Was Right To Drop Set-Top Box Plan, Legislator Says**

Rep. Yvette D. Clarke, D-N.Y., has praised a move by the new Federal Communications Commission head to pull back on an Obama-era plan to open up competition in the set-top box market.

### **AT&T Urges FCC To Nix 'Cadillac' Broadband Expansion Goals**

The Federal Communications Commission should seek to fund broadband expansion in as many geographic areas as possible rather than prioritizing high speeds, AT&T said Tuesday, or else consumers in harder-to-reach areas will get left behind.

### **Group Blasts Industry Move Against FCC Transparency Rules**

Broadband providers are inappropriately seeking to evade stepped-up transparency rules under an exemption meant for small providers, an open internet advocacy organization warned the Federal Communications Commission in a filing made public Friday, saying that their request for broad relief for all providers would effectively kill the rules.

## **EXPERT ANALYSIS**

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### **2-For-1 Executive Order Leaves OMB To Work Out Details**

While President Donald Trump's recent executive order reducing regulations may seem appealing in its simplicity, the White House has provided agencies with little guidance on its implementation, instructing them to call the Office of Management and Budget with questions. Yet the OMB's ability to provide answers will be impaired by a lack of clear legal standards, say Laurence Platt and Joy Tsai of Mayer Brown LLP.

### **A Look At DOJ's New Guidance On Compliance Programs**

New guidance from the U.S. Department of Justice's Fraud Section puts chief compliance

officers on notice about how the adequacy of their companies' compliance programs is evaluated by prosecutors, say attorneys with Morgan Lewis & Bockius LLP.

### **How The GDPR Will Impact Life Sciences And Health Care**

The European Union's General Data Protection Regulation will considerably increase the sanctions and penalties that can be imposed on organizations that breach its requirements. The implications for organizations operating in the life sciences and health care sectors are likely to be particularly far-reaching, say attorneys with Ropes & Gray LLP.

### **Legal Pot Industry Bugged By Lack Of Pesticide Guidance**

Marijuana cultivation suffers from the same pest and disease pressure as any large commercial greenhouse operation. However, the circumstance unique to this setting is that any use of a pesticide in the cultivation of marijuana is a violation of federal law, says Telisport Putsavage of Putsavage PLLC.

### **The Quadrennial Energy Review And Grid Security**

The most recent installment of the U.S. Department of Energy's Quadrennial Energy Review includes a number of recommendations for physical and cybersecurity protection of the nation's power infrastructure. Although the report recommends developing and implementing "necessary" security measures, it provides limited details in some areas, and does not identify revenue sources for some initiatives, say attorneys from Husch Blackwell LLP.

## **LEGAL INDUSTRY**

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### **Norton Rose Fulbright Inks Deal With Chadbourne**

Norton Rose Fulbright and New York-based Chadbourne & Parke LLP will merge in the

second quarter of this year, the firms announced Tuesday.

### **BigLaw Cost Pressures Fueling Middle East Exits**

At least eight BigLaw outposts in the Middle East have been shuttered since 2015, a trend experts say is simply one symptom of the global push by law firms to make ends meet as demand falters and the costs of doing business continue to rise.

### **Sidley-Authored Report On 9/11-Era Torture Defamatory: Suit**

A group of psychologists accused a Sidley Austin LLP attorney of crafting a report for the American Psychological Association that unfairly laid the blame on them for interrogation tactics used by the U.S. military after the 9/11 attacks, saying in an Ohio suit that he ignored evidence and bolstered a story by the doctors' critics.

### **US Law Firm Expansion Follows The Money, Report Says**

Law firms tend to enter regions experiencing rapid growth in emerging corporate sectors by attempting to lure away key partners from other firms, while the days of large regional firms catering to businesses in specific geographic areas are gone, a recent paper said.

### **Munsch Hardt Co-Founder Dies In Australian Plane Crash**

Munsch Hardt Kopf & Harr PC on Tuesday confirmed that one of its founding partners, noted bankruptcy and banking attorney Russell Munsch, was among those killed in a fatal plane crash in Melbourne, Australia, on Monday.

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**From:** Government Contracts Law360  
**Sent:** Friday, February 24, 2017 3:44 AM  
**To:** Rep07  
**Subject:** GSA Signals Move Away From Contractor Numbering System



Friday, February 24, 2017



## TOP NEWS

### Analysis

#### **GSA Signals Move Away From Contractor Numbering System**

The U.S. General Services Administration may finally move to replace the decades-old proprietary numbering system currently used for identifying and validating federal contractors, an effort open government advocates have hailed despite warnings from the incumbent contractor about downsides of alternate systems.

#### **Sessions Ditches Obama Policy Curtailing Private Prison Use**

Attorney General Jeff Sessions has reversed a U.S. Department of Justice memo from the Obama administration aimed at curtailing use of private prisons by the federal government, according to a memo sent to the federal Bureau of Prisons on Thursday.

#### **'Puffery' Isn't Fraud, Says Drug Return Co. In \$116M Case**

Guaranteed Returns on Wednesday urged a Pennsylvania federal court to tell a jury that puffery or sales talk is not fraud, in the midst of a trial alleging that the company — which helps the government and providers return expired drugs — stole \$116 million worth of refunds from pharmaceutical manufacturers.

## LAW FIRMS

Alston & Bird  
Arnold & Porter Kaye Scholer  
Bancroft PLLC  
Berger & Montague  
Bradley  
Chadbourn & Parke  
Cooley  
D'Amato & Lynch  
DLA Piper  
Edelson PC  
Finger & Slanina  
Ford & Harrison  
Greenberg Traurig  
Greene LLP  
Gutride Safier  
Harkins Cunningham  
Hogan Lovells  
Holland & Knight  
Jenner & Block  
Johnson & Bell  
K&L Gates  
Kane Russell  
Kessler Topaz  
Kutak Rock  
McDermott Will

### **\$69M Suit Says Ex-Biz Partner Hijacked Transpo Contract**

Two government aviation experts are out more than \$69 million after a former business partner used their expertise to win a lucrative project ferrying personnel and materiel to Iraq and Afghanistan, only to cast the pair aside, according to a suit recently removed to Virginia federal court.

### **Public Interest Groups Urge FCC Not To Undermine Lifeline**

The NAACP, AFL-CIO and Public Knowledge are among a range of public interest organizations that on Thursday pressed the Federal Communications Commission to reverse course on stripping nine Lifeline low-income broadband providers of eligibility to provide service or risk undercutting the goal of connecting the poor.

## **ENFORCEMENT**

### **Medical Supply Co. Owner Gets 27 Years In \$3.5M Fraud**

A 55-year-old man who was involved in a \$3.5 million scheme to defraud Medicare and Medicaid by filing false claims for powered wheelchairs and scooters was sentenced Thursday in San Antonio, Texas, to 27 years in prison, the U.S. Department of Justice announced.

### **NM Tribe Wants Tough Sentence For Ex-Construction Co. Head**

A New Mexico tribe urged a federal court Wednesday to hand a stiff sentence to the ex-president of a tribal company who pled guilty to fraud for his role in a purported \$5.3 million kickback scheme related to U.S. Air Force contracts in the Middle East, saying the official deserves a much longer sentence than the government has recommended.

## **LITIGATION**

McGuireWoods  
Morrison & Foerster  
Morvillo Abramowitz  
Munger Tolles  
Norton Rose Fulbright  
Ogletree Deakins  
Perkins Coie  
Proskauer Rose  
Robbins Geller  
Robbins Russell  
Schlam Stone  
Shook Hardy  
Sidley Austin  
Simpson Thacher  
Sullivan Ward  
Wiley Rein  
Williams Montgomery

## **COMPANIES**

AECOM  
AXA SA  
American Federation of Labor and Congress of Industrial Organizations  
American Health Information Management Association  
Apple Inc.  
BTI Consulting Group Inc.  
Comcast Corporation  
Computer Sciences Corporation  
Corrections Corporation of America  
Dun & Bradstreet Corporation  
Facebook  
Fannie Mae  
First NBC Bank Holding Co.  
Freddie Mac  
Geo Group, Inc.  
HuffingtonPost.com LLC  
International Bar Association

## **Universal Health Wants Escobar FCA Suit Trimmed**

Universal Health Services Inc. has urged a Massachusetts federal court to dismiss parts of the Escobar whistleblowers' amended complaint that weren't considered by the First Circuit or U.S. Supreme Court, arguing the additional allegations are poorly pled.

## **L3 To Pay \$34.5M To Settle Accounting Fraud Class Action**

Military contractor L3 Technologies Inc. will pay \$34.5 million to settle accusations by shareholders that its statements leading up to the disclosure of an \$84 million accounting error amounted to securities fraud, and their lawyers will seek up to a quarter of that amount in fees, according to papers filed in New York federal court on Wednesday.

## **AECOM Ended Union Contract Properly, Judge Says**

A Virginia federal judge has ruled a government contractor subsidiary of engineering firm AECOM properly terminated a collective bargaining agreement with an engineer's union, rejecting the union's argument that the March letter terminating the agreement was limited or ambiguous.

## **CONTRACTS**

### **GAO Denies Protest Over \$36M Navy Ship Repair Contract**

The U.S. Government Accountability Office has denied a contractor's protest over the rejection of its bid for a \$35 million U.S. Navy contract for ship repairs and modifications, rejecting the company's claim that the agency failed to conduct meaningful discussions about the contract.

## **EXPERT ANALYSIS**

### **Inside New FAR Rule On Untimely Payment To Subcontractors**

L-3 Communications Holdings Inc.

Life Technologies Corporation

Mercedes-Benz

MetLife Inc.

National Public Radio Inc.

New York Times Co.

Nokia Corporation

Novartis AG

Promega Corp.

Public Knowledge

Royal Dutch Shell PLC

Sprint Nextel Corporation

Universal Health Services Inc.

Wells Fargo & Co.

## **GOVERNMENT AGENCIES**

Central Intelligence Agency

Federal Acquisition Regulatory Council

Federal Bureau of Investigation

Federal Bureau of Prisons

Federal Communications Commission

Federal Housing Finance Agency

Government Accountability Office

Pueblo of Laguna of New Mexico

U.S. Air Force

U.S. Army

U.S. Attorney's Office

U.S. Department of Defense

U.S. Department of Justice

U.S. Department of Veterans Affairs

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. General Services Administration

U.S. Navy

U.S. Supreme Court

New changes to the Federal Acquisition Regulation impose mandatory reporting requirements on federal prime contractors who fail to make full and timely payments to their small business subcontractors. Although little more than a month old, this rule already has been the source of considerable confusion, say Aron Beezley and Emily Unnasch of Bradley Arant Boult Cummings LLP.

### **The Mistakes Lawyers Make When Copying And Pasting**

We all recognize that cutting or copying text from earlier works and pasting it into new documents saves attorneys time. However, with this increase in speed comes an increased risk of making, or not catching, errors, says Robert Lang of D'Amato & Lynch LLP.

## **LEGAL INDUSTRY**

### **Analysis**

### **5 Rules For RFPs From The People Who Read Them**

With the use of RFPs by legal departments at an all-time high, it's crucial that law firms learn how to stand out from the pack and avoid ruffling the feathers of the procurement and legal operations professionals who review the submissions. Here's how they say law firms can make the most of an RFP.

### **Holland & Knight Protests DQ Bid To Judge's 'Dismay'**

A New York federal judge scolded Holland & Knight LLP for a letter it submitted in a case pitting First NBC Bank against ethanol distributor Murex LLC, saying the unsolicited filing contesting a bid to disqualify the firm did not reflect well on it and that its attorneys had "abused the court's courtesy."

### **Ginsburg Bemoans Loss Of Core Values At Book Launch**

America is not going through the best of times, according to Associate Justice Ruth Bader

Ginsburg, who said Thursday that the country has started to drift away from some of its core ideals.

### **High Court Confirmation 'Not The Way It Should Be': Ginsburg**

The current U.S. Supreme Court confirmation process has grown too partisan, Justice Ruth Bader Ginsburg said Thursday, as the Senate is gearing up for a fight over President Donald Trump's pick for the high court, Tenth Circuit Judge Neil Gorsuch.

### **BigLaw Partners Uneasy About Trump Judiciary Comments**

Members of the legal community including partners at several BigLaw firms on Thursday expressed concern over statements made by President Donald Trump toward federal judges and courts in the aftermath of an order temporarily blocking his immigration ban from seven Muslim-majority countries, saying the remarks could have "grave consequences." 2

### **Law360's Weekly Verdict: Legal Lions & Lambs**

Sidley Austin rose to the top of this week's legal lions list with a win at the U.S. Supreme Court that limits the law's reach on overseas patent infringement, while K&L Gates met with a less favorable fate when the justices revived a False Claims Act case against its client, Wells Fargo.

### **Del. Judicial Political Balance Mandate Unfair, Atty Says**

A Delaware attorney is challenging a portion of the state's constitution requiring a balance of representation from "major" political parties in state judicial positions, saying in a lawsuit filed in Delaware federal court that the process is unconstitutional and unfairly excludes members of nonmajority parties and independents.

### **III. Law Firm Ex-Clients Can't Arbitrate Privacy Row As Class**

A pair of former clients of Illinois law firm Johnson & Bell Ltd. can't arbitrate their claim the firm put their confidential data at risk on behalf of a putative class of Johnson & Bell clients, an Illinois federal judge said Wednesday.

### **Trial Consultants Q&A: DOAR's Roy Futterman**

You can see an attorney have a sudden realization that we move from trial to trial, that we work on many cases in a year and spend weeks in courtrooms. When attorneys realize all of this, they often move us from the kiddie table to the big boy table. Then we pick up a turkey leg and get to work, says Roy Futterman, director at DOAR Inc.

#### **JOBS**

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**Senior Advisor and Legal Operations Specialist**  
Virginia Department of Rail and Public Transportation  
Richmond, Virginia

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**From:** Munsup @SISCOM Seoh  
**Sent:** Tuesday, March 14, 2017 11:01 PM  
**To:** Munsup @SISCOM Seoh  
**Subject:** [mpen-cleveland] FW: "Save Medicaid funding in Ohio" & "Robert Reich just DESTROYED Trump!" & "Victory against 'Right-to-Work' bill in New Hampshire!" and more

FYI. Best, Munsup

P.S. Please reply back to me with 'unsubscribe' added to the subject line if you no longer want to receive my e-Newsletters. The convenient link to unsubscribe is no longer available due to security reasons to protect my email servers.

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The Republican Congress is hell-bent on repealing Obamacare—but you can do something very specific and effective to put pressure on your Republican member of the House of Representatives.

**Call Representative Michael R. Turner at (202) 225-6465. Tell them to oppose the Republican Obamacare repeal bill because it endangers Medicaid funding in Ohio.**



*Hi, my name is \_\_\_\_\_. I strongly oppose the Republican health care bill in part because it ends the Medicaid expansion that thousands of residents in our district have relied on to get life-saving health care. I am counting on you to vote NO.*

**After making the phone call, please fill out this form to let us know how it went.**

**Can't call? Write a personalized letter to your Republican House member—urging them to oppose the repeal legislation.**

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And that's not even enough for some Republicans. The right-wing extremists (egged on by President Trump) are demanding that Medicaid cuts happen NEXT YEAR, or else they won't support the legislation.

Republican House members who represent states with Medicaid expansion can be pressured to do the right thing. Already, we have seen four GOP Senators from these states say they won't support Medicaid cuts.

**Pick up the phone and, using the phone number and script above, call your Republican member of the House of Representatives. After making the phone call, please fill out this form to let us know how it went.**

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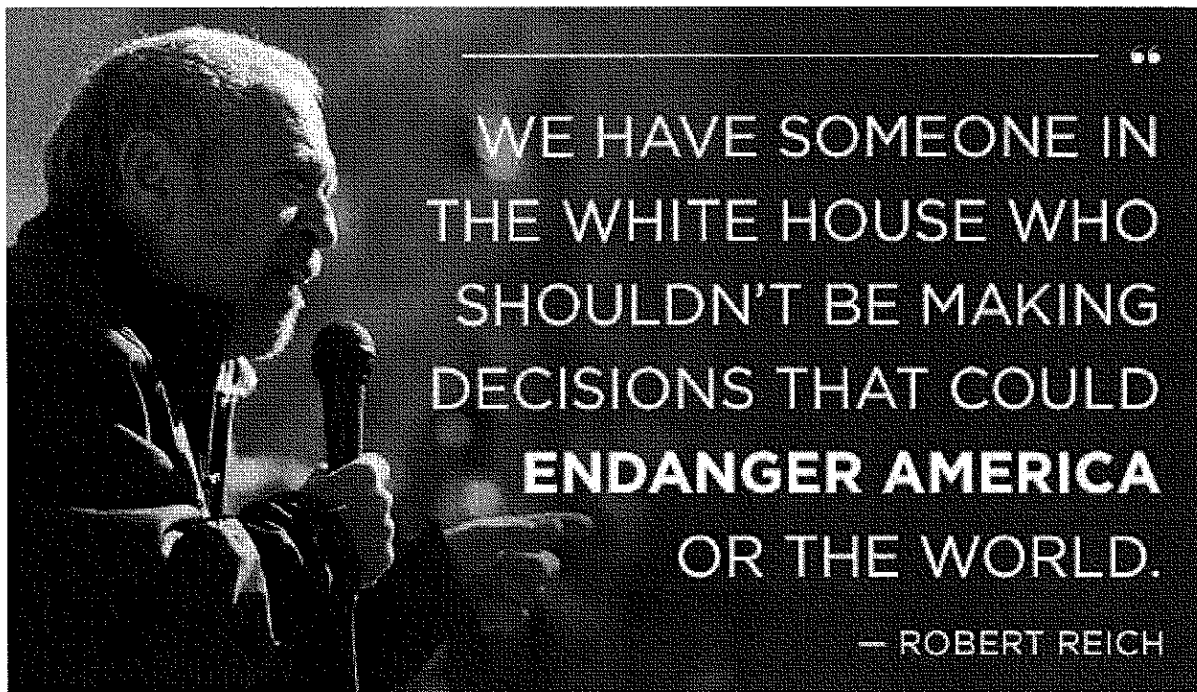
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**100,000 SIGNATURES NEEDED:  
Demand Trump be IMPEACHED>>**

**Political scientist Robert Reich just DESTROYED President Trump:**



He's right, Munsup -- Trump is endangering our country and undermining our values.

Every minute that Trump remains in the White House is a threat to our safety and prosperity.

**Demand Trump be impeached >>**


**Robert Reich thinks there are concrete grounds for Trump's impeachment, especially if Trump continues "unfaithfully executing his duties."**

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THE QUESTION IS NO  
LONGER WHETHER  
THERE ARE GROUNDS  
TO **IMPEACH TRUMP**.  
THE PRACTICAL  
QUESTION IS WHETHER  
THERE IS THE POLITICAL WILL.



Trump's offenses are stacking up by the minute:

*Attacks on the free press. Discriminating against religious groups.*

**And ALL evidence points to the fact he or his 2016 campaign may have committed TREASON by coordinating with the Russian government to win him the election.**

Trump's impeachment is our only hope of restoring the integrity to the Oval Office and security to our nation.

**Sign your name to demand Trump be impeached immediately:**

**Demand Trump be impeached >>**

**<http://go.boldpac.com/Impeach-Trump-Immediately>**

**CHC BOLD PAC**

**BUILDING OUR LEADERSHIP DIVERSITY**

**PAID FOR BY CHC BOLD PAC AND NOT AUTHORIZED BY ANY CANDIDATE OR CANDIDATE'S COMMITTEE.**

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**From:** Angelo Carusone, Media Matters

**Subject:** It's Working! Stand With The White House Press Corps

**It's working** -- the White House Correspondents' Association (WHCA) is considering taking a stand against Donald Trump's press blacklist!

When the White House banned *The New York Times* and CNN from a press gaggle last month, The Associated Press, *USA Today*, and *Time* took our advice and boycotted. [1] Soon after, Bloomberg, McClatchy, and *The Wall Street Journal* publicly pledged to walk out if the White House blacklists an outlet again. [2] And before the weekend was over, reporters at NBC and even Fox News were criticizing their networks for participating and encouraging them to join future boycotts. [3][4]

The reporters who cover Trump are ready to fight the blacklist -- but unless their outlets stand together, the White House won't need to change its bad behavior. **It's time to get as loud as we can:** Journalists need to know that we've got their backs, and we'll support them if they take action now.

**STAND WITH THE WHITE HOUSE PRESS CORPS: SHARE THIS PETITION ON FACEBOOK and/or SHARE ON TWITTER**

During an event at the National Press Club yesterday, WHCA President Jeff Mason said "it is not easy" to get news organizations to agree on a boycott or collective action against a White House when it bans an outlet. [5]

Mason is right: It won't be easy for news organizations to band together when the White House blacklists a competitor. But our free press depends on the courage of journalists and the citizens who stand up for them, and this is a critical moment to do what's right.

**THE WHITE HOUSE PRESS CORPS NEEDS OUR SUPPORT: SHARE THIS PETITION ON FACEBOOK and/or SHARE ON TWITTER**

Make sure the WHCA hears us: Stand up to Trump's blacklist and we'll stand with you!

Your voice is making a difference.

Footnotes:

[1] <http://money.cnn.com/2017/02/24/media/cnn-blocked-white-house-gaggle/>

[2] <http://mm4a.org/2lGFc12>

[3] <https://twitter.com/JoeNBC/status/835212139673571330>

[4] <https://twitter.com/BretBaier/status/835206562549493760>

[5] <https://twitter.com/ErikWemple/status/839885760060928000>

**Want to make a donation to help support petitions on MoveOn.org?** Hundreds of thousands of people chip in each year to support MoveOnâ€”which is how we're able to keep our petition website free and support campaigns like this one. You can become a monthly donor by [clicking here](#), or [chip in a one-time gift here](#).

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**From:** Michael Phelan, Social Security Works  
**Subject:** CBO Confirms that Trumpcare is an Attack on Seniors

The Congressional Budget Office, whose director was hand-picked by Speaker Paul Ryan, just released its estimates on the impact of the Trump/Ryan health care proposal. **These numbers are a terrifying confirmation that Trumpcare is the first part of a Republican war on seniors.**

**If implemented, the CBO estimates that Trumpcare would cause 24 million people to lose health insurance in the next decade, and premiums would rise 120-125 percent for older adults just below Medicare eligibility age.**

**Five Republican Senators already stated that they had reservations about voting for Trumpcare. If they all vote no, this bill will fail in the Senate. Send them a message now!**

Sens. Rob Portman (OH), Shelley Moore Capito (WV), Cory Gardner (CO), and Lisa Murkowski (AK) sent a letter to Senate Majority Leader Mitch McConnell signaling their reservations about Trumpcare. And Sen. Dean Heller (NV) told his constituents over the weekend that he had numerous objections to the bill. **We can stop this in the Senate!**

**Send a message to the Senate: Vote NO on Trumpcare!**

The CBO says that if Trumpcare passes, 14 million Americans would lose their coverage *next year*--a number that would climb to 24 million by 2026. All so that Paul Ryan and Donald Trump can raid \$275 billion from Medicare to give huge tax breaks to the rich. That is insane.

**The CBO says that this increase in people without insurance would be "disproportionately larger among older people with lower income; in particular people between 50 and 64 years old."**

**Five Senators can stop Trumpcare in its tracks. Add your voice!**

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**From:** Judy Burnette  
**Subject:** Truthout | "Globalization Is Just a Contemporary Word for Financial Colonialism" by

Mark Karlin

<http://www.truth-out.org/opinion/item/39786-globalization-is-just-a-contemporary-word-for-financial-colonialism>

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From: ~~The New York Times~~

Subject: Today's Headline: Health Bill Would Add 24 Million Uninsured but Save \$337 Billion, Report Says

**Today's Headline** on Tuesday, March 14, 2017

## **Health Bill Would Add 24 Million Uninsured but Save \$337 Billion, Report Says**

By THOMAS KAPLAN and ROBERT PEAR

The judgment by the Congressional Budget Office did not back up the president's promise of providing health care for everyone but may help bring in rebellious conservatives.

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From: Nicholas R.

Subject: Petition for signing the "Amazon: Stop Supporting Breitbart's Hate"

A social media campaign called "Sleeping Giants" led more than 1,000 companies to stop advertising on the white nationalist website Breitbart.com. Virtually every major corporation worldwide has blocked their ads from appearing on Breitbart, but one glaring exception remains: Amazon.

Breitbart is the white nationalist website formerly run by Trump adviser Steve Bannon. It's racist, sexist, and spreads hate against Muslims. Breitbart regularly has headlines like "Birth control makes women unattractive and crazy" and "The Confederate flag proclaims a glorious heritage." It is way outside of the American mainstream, even in these polarizing times.

It's well past time for Amazon to stop supporting hate. Please ask Amazon to remove their ads from Breitbart.com and adopt a policy to ban advertising on any website that promotes hate.

That's why I signed a petition to Jeff Bezos, CEO, Amazon, Christine Bader, Director of Social Responsibility, Amazon, and Jacqueline Blackmore, Executive Assistant, Amazon, which says:

"It's well past time for Amazon to stop supporting hate. Remove Amazon ads from Breitbart.com and adopt a policy to ban advertising on any website that promotes hate."

Will you sign the petition too? Click here to add your name:

[http://petitions.moveon.org/sign/amazon-stop-supporting?source=s.fwd&r\\_by=4513377](http://petitions.moveon.org/sign/amazon-stop-supporting?source=s.fwd&r_by=4513377)

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**From:** Eric Kramer

**Subject:** Fake news site thanks 'gullible Trump supporters' after reaching 1 million views – DeadState

<http://deadstate.org/fake-news-site-thanks-gullible-trump-supporters-after-reaching-1-million-views/>

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**From:** Andrew Tierman

**Subject:** FW: Stop Republican bills in the House

I'm Michael Steiner, a MoveOn member in Bethlehem, PA, and I started a petition to The United States House of Representatives and The United States Senate, which says:

The following bills have been filed by Republicans in the House. They should not become law:

1. HR 861 Terminate the Environmental Protection Agency
2. HR 610 Vouchers for Public Education
3. HR 899 Terminate the Department of Education
4. HJR 69 Repeal Rule Protecting Wildlife
5. HR 370 Repeal Affordable Care Act
6. HR 354 Defund Planned Parenthood
7. HR 785 National Right to Work (this one ends unions)
8. HR 83 Mobilizing Against Sanctuary Cities Bill
9. HR 147 Criminalizing Abortion ("Prenatal Nondiscrimination Act")

[Sign Michael's petition](#)

The Republicans in the House of Representatives have sent nine bills to the floor that threaten our individual freedoms, the working class, and the environmental future of not only this country but the Planet. We need to take a stand to protect ourselves and the future of this country. Senators and representatives need to do the right thing and stand up for us. Vote NO on all these HR Bills.

**[Click here to add your name to this petition, and then pass it along to your friends.](#)**

**Want to support our work?** The MoveOn community will work every moment, day by day and year by year, to resist Trump's agenda, contain the damage, defeat hate with love, and begin the process of swinging the nation's pendulum back toward sanity, decency, and the

kind of future that we must never give up on. And to do it we need your ongoing support, now more than ever. **Will you stand with us?** Donate monthly Or make a one-time gift Contributions to MoveOn.org Civic Action are not tax deductible as charitable contributions for federal income tax purposes.

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**From:** Sarah Hirsch, AAUP

**Subject:** Victory for faculty in New Hampshire!

New Hampshire is still a place where labor unions and working people live free.

Last month, AAUP chapters in New Hampshire worked with other unions and community members to defeat a "right-to-work" bill that the governor had promised to sign. Together, we protected the right of faculty and other working people across the state to negotiate collectively.

**It was an invigorating fight, making us proud to be members of the AAUP and aligned with all the other unions that made this a priority.**

So-called right-to-work legislation hurts working people, undercutting our ability to bargain together for better wages, benefits, and working conditions. A study from the Economic Policy Institute found that working people in "right-to-work" states earn 3.1 percent less than those in states where full collective bargaining rights exist. That translates to \$1,500 less per year. For unionized faculty, undercutting unions also undercuts our ability to negotiate over issues such as academic freedom protections and shared governance rights.

Facing the prospect of right-to-work legislation in our state, the University of New Hampshire chapters of the AAUP formed a One Faculty committee to fight the legislation. We reached out to faculty across the state, conducted teach-ins, and sent members to open committee hearings and full votes by the legislature. We worked with other unions and community members to ensure that all legislators heard our message loud and clear: working people must be protected and this legislation must be defeated.

We created an "Honor Roll" of Republican legislators who resisted the strong-arm efforts of our new governor and stood up against the legislation. Then we asked members and supporters to call or write to thank both them and the determined Democrats who defied a snowstorm to be in their seats the date of the vote. And it paid off--the bill was defeated in the New Hampshire State House by a bipartisan coalition of legislators, 200 to 177.



New Hampshire is not alone in this fight against attacks on workers--twenty-eight states have right-to-work legislation, and national legislation has been introduced in the House of Representatives. We must continue to work together united to protect the rights and freedoms of faculty across the country.

I am so heartened by this victory and the incredible solidarity I have seen amongst faculty here!

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**From:** Kathryn Johnson; Policy Impact Coordinator, American Friends Service Committee  
**Subject:** Emergency Campaign: Stand up to hate! Support immigrant & refugee rights today!

## **Stand Up to Hate**



The Trump Administration has ushered in a devastating new era of anti-immigrant and refugee executive orders and policies, hateful rhetoric, and fear. Over the past few weeks, Immigration and Customs Enforcement officers have indiscriminately arrested, detained, and deported hundreds of people, separating families and sowing terror in communities nationwide. On Monday, the Trump Administration signed a new version of the Muslim ban. **This is a threat to human rights and social justice.**

**Help the American Friends Service Committee raise \$20,000 by March 10th to provide essential tools, training, and direct services to defend the rights of immigrants and refugees and disrupt hateful acts and government actions.**

For decades, the American Friends Service Committee has supported immigrants, refugees, and allies nationwide to organize, defend their rights, document abuses, and disrupt massive

detention and deportation. You'll now find us in the streets protesting and organizing calls to action against the Muslim ban. In the last month, we've seen demand for our services skyrocket as fear and uncertainty have spread throughout immigrant and refugee communities.

In response, AFSC's new Sanctuary Everywhere campaign provides tools and training to community groups, congregations, and schools to interrupt hateful acts and create safer spaces for all people. In this climate of heightened fear and discrimination, we urgently need your support more than ever.

**Stand up to hate and fear by supporting AFSC to deliver critical resources and training to immigrants, refugees, and allies by reaching our goal of \$20,000 by March 10th.**

With your help, we can strengthen our capacity to respond to harmful government actions and to provide communities with the resources they need to keep all people safe, regardless of their immigration status or country of origin.

**DONATE NOW**

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End of MPEN e-Newsletter

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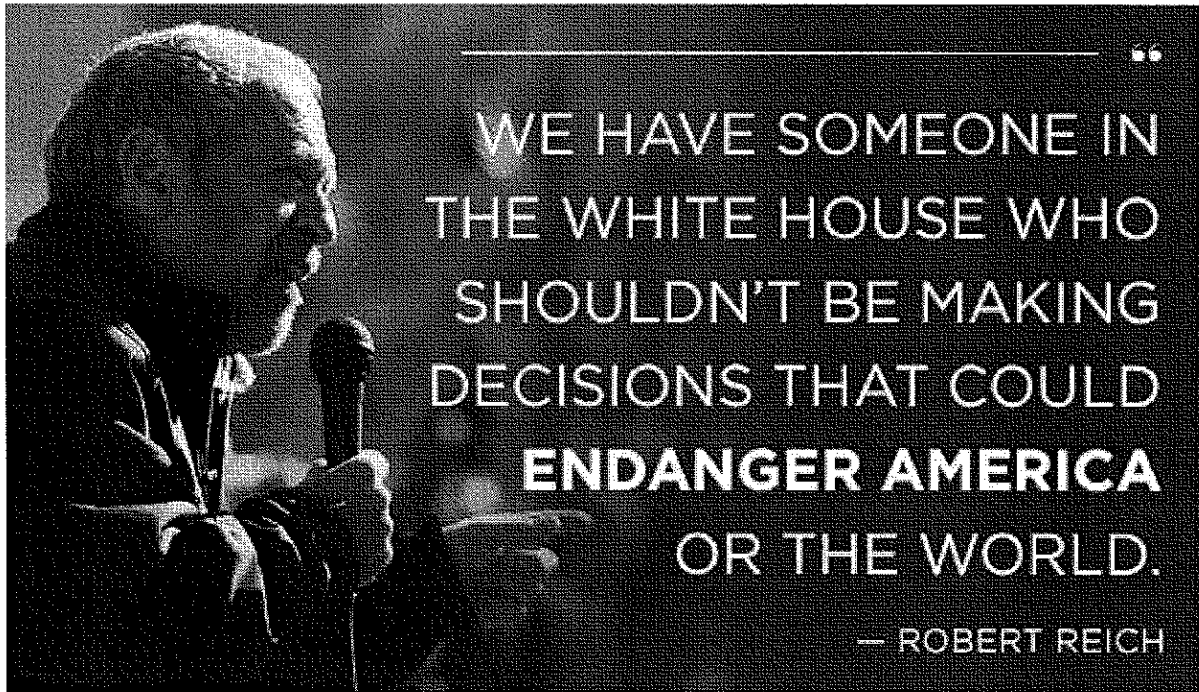
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THE QUESTION IS NO  
LONGER WHETHER  
THERE ARE GROUNDS  
TO **IMPEACH TRUMP**.  
THE PRACTICAL  
QUESTION IS WHETHER  
THERE IS THE POLITICAL WILL.



Trump's offenses are stacking up by the minute:

*Attacks on the free press. Discriminating against religious groups.*

**And ALL evidence points to the fact he or his 2016 campaign may have committed TREASON by coordinating with the Russian government to win him the election.**

Trump's impeachment is our only hope of restoring the integrity to the Oval Office and security to our nation.

**Sign your name to demand Trump be impeached immediately:**

**Demand Trump be impeached >>**

**<http://go.boldpac.com/Impeach-Trump-Immediately>**

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BUILDING OUR LEADERSHIP DIVERSITY

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**From:** Angelo Carusone, Media Matters

**Subject:** It's Working! Stand With The White House Press Corps

**It's working** -- the White House Correspondents' Association (WHCA) is considering taking a stand against Donald Trump's press blacklist!

When the White House banned *The New York Times* and CNN from a press gaggle last month, The Associated Press, *USA Today*, and *Time* took our advice and boycotted. [1] Soon after, Bloomberg, McClatchy, and *The Wall Street Journal* publicly pledged to walk out if the White House blacklists an outlet again. [2] And before the weekend was over, reporters at NBC and even Fox News were criticizing their networks for participating and encouraging them to join future boycotts. [3][4]

The reporters who cover Trump are ready to fight the blacklist -- but unless their outlets stand together, the White House won't need to change its bad behavior. **It's time to get as loud as we can:** Journalists need to know that we've got their backs, and we'll support them if they take action now.

**STAND WITH THE WHITE HOUSE PRESS CORPS: SHARE THIS PETITION ON FACEBOOK and/or SHARE ON TWITTER**

During an event at the National Press Club yesterday, WHCA President Jeff Mason said "it is not easy" to get news organizations to agree on a boycott or collective action against a White House when it bans an outlet. [5]

Mason is right: It won't be easy for news organizations to band together when the White House blacklists a competitor. But our free press depends on the courage of journalists and the citizens who stand up for them, and this is a critical moment to do what's right.

**THE WHITE HOUSE PRESS CORPS NEEDS OUR SUPPORT: SHARE THIS PETITION ON FACEBOOK and/or SHARE ON TWITTER**

Make sure the WHCA hears us: Stand up to Trump's blacklist and we'll stand with you!

Your voice is making a difference.

Footnotes:

[1] <http://money.cnn.com/2017/02/24/media/cnn-blocked-white-house-gaggle/>

[2] <http://mm4a.org/2lGFc12>

[3] <https://twitter.com/JoeNBC/status/835212139673571330>

[4] <https://twitter.com/BretBaier/status/835206562549493760>

[5] <https://twitter.com/ErikWemple/status/839885760060928000>